



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

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1. 1995/21 श्रावण, 1917 को सम्पादित होने वाले सप्ताह में निम्नलिखित विवक्षितों 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

संख्या	विभाग का नाम	विषय
संख्या 1(एफ) 1(ए) 4-1/9 क 25 जुलाई, 1995.	सामान्य प्रशासन विभाग	उपाध्यक्ष स्वतन्त्रता सेनानी आदेशन बोर्ड हिमाचल प्रदेश को एक वर्ष के लिए और सुविधाएं प्रदान करने बारे अधिसूचना ।
संख्या 7-38/94-ई० एक्स० एन०-1/879-926, दिनांक 5 अगस्त, 1995.	आवकारी एवं कराधान विभाग	आवकारी एवं कराधान आयुक्त (हि०३०) द्वारा नियम 15 का संशोधन इसकी अंग्रेजी पाठ सहित ।
संख्या टी०पी०टी०बी०(16)2/95, दिनांक 3 अगस्त, 1995.	परिवहन विभाग	हिमाचल पथ परिवहन निगम द्वारा मोराम की गई बसों की निजी व्यक्तियों द्वारा पुनः मुरम्मत करके चलाने बारे निरीक्षण हेतु बोर्ड के गठन बारे अधिसूचना ।
No. SML-Reader/ADM(716)/95, dated 24th July, 1995.	Office of the District Magistrate, Shimla	Imposition of ban on parking of vehicles except Departmental vehicles in the vicinity of DDU Hospital, Shimla by the Deputy Commissioner, Shimla.

भाग-1--वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

BOARD OF DEPARTMENTAL EXAMINATION  
FAIRLAWN, SHIMLA-12

NOTIFICATION

Shimla-12, the 16th June, 1995

No. HIPA (Exam)-5/74-XXV.—Vide notification of even number, dated the 6th October, 1994, the result of the Departmental Examination of officers belonging to Tehsildars/Naib Tehsildars category held in June, 1994 was declared and in the said notification the name was inadvertently shown as Chet Ram against Roll No. 943152 which may be read as "Brij Lal s/o Sh. Chet Ram."

Sd/-  
Secretary,  
H.P. Board of Departmental Examinations,  
Fairlawns, Shimla-12.

शिक्षा विभाग

'ब' अनुभाग'

जुद्धि पत्र

शिमला-2, 16 जून, 1995

संख्या शिक्षा-11-छ (5)-14/92-11.—इस विभाग की अधिसूचना संख्या शिक्षा-11-छ (5)-14/92, दिनांक 14-9-92 के क्रम संख्या 13 पर निविदा पाठशाला का नाम "ग्राम सरियाणा, ब्लॉक भौरज," जिला हमीरपुर के स्थान पर राजकीय प्राथमिक पाठशाला "ग्राम बड़ियागा, ब्लॉक भौरज" जिला हमीरपुर पढ़ा जाए।

आदेश द्वारा,  
एस0 एस0 परमार,  
आयुक्त एवं सचिव (शिक्षा),

निर्वाचन विभाग

अधिसूचना

शिमला-2, 30 जून, 1995

संख्या 2-19/88-ई0 एन0 एन0.—इस विभाग को समसंख्याक अधिसूचना दिनांक प्रथम मई, 1995 के अन्तिम पैरा में "निर्वाचन अधिकारी" के स्थान पर "न्यायिक मुख्य निर्वाचन अधिकारी" तत्काल से प्रतिस्थापित किया जाता है।

राजेश्वर भट्टाचार्य,  
मुख्य निर्वाचन अधिकारी,  
हिमाचल प्रदेश।

FINANCE DEPARTMENT

(Regulations)

NOTIFICATIONS

Shimla-2, the 26th May, 1995

No. Fin (C)-A-(3)-34/75.—The Governor, Himachal Pradesh is pleased to order the addition in Notification of even number, dated 8th December, 1994 below para-I as follows :—

"(IX) Chairman, State Law Commission, Himachal Pradesh."

These orders will take effect from the issue of this Notification.

Shimla-171002, the 27th May, 1995

No. Fin-C-A (2)-1/94.—The Governor, Himachal Pradesh is pleased to order that the following Company Commanders shall function as 'Disbursing Officers' in respect of Heads of Account shown against each of them :—

Sl. Name, Designation and Place Head of Account No.

- |  |   |
|--|---|
| 1. Shri Hem Chand Sharma, Company Commander, O/O Commandant Home Guards, 4th Bn, Nahan.  | Major Head: 2070-Other Administrative Services.<br>107—Home Guards<br>02—District Staff   |
| 2. Sh. Mohan Lal, Company Commander, Chamba, O/O Commandant Home Guards, 8th Bn, Chamba. | 108—Fire Protection and Control.<br>02—District Staff   |
| 3. Shri T. C. Negi, Company Commander, O/O Commandant Home Guards, 1st Bn, Kinnaur.      | Tribal Area Sub-Plan, Demand No. 31<br>2070—Other Administrative Services.<br>107—Home Guards<br>02—District Staff<br>2070—Other Administrative Services-Fire Protection and Control.<br>796—Tribal Areas Sub-Plan, |

2. The aforesaid Company Commanders shall also function as Controlling Officers in respect of Class-III and IV employees for the purpose of T. A. bills etc. their jurisdiction.

3. The aforesaid arrangements will continue till the regular Commandant joins their duties at the above places

By order,

Kr. SHAMSHER SINGH,  
Financial Commissioner-cum-Secretary.

(कोष तथा लेखा संगठन)

शिमला-2, 14 जून, 1995

संख्या फिन (टी. आर.) (1) 3/95.—राज्यपाल, हिमाचल प्रदेश लोक सेवा आयोग की संस्तुति के आधार पर श्री कृषिकेश शर्मा, संयुक्त नियन्त्रक (वित्त एवं लेखा) राजपत्रित श्रेणी-I वेतनमान रुपये 3000—4500 को नियन्त्रक (वित्त एवं लेखा) राजपत्रित श्रेणी-I, वेतनमान रुपये 3000—5000 जमा 400 रुपये विशेष वेतन, पद पर प्रथमतः छः माह की अवधि के लिए तदर्थ रूप से पदोन्नत करने के सहर्ष आदेश देते हैं। राज्यपाल, हिमाचल प्रदेश उक्त अधिकारी को तदर्थ पदोन्नति के फलस्वरूप उन्हें हिमाचल प्रदेश सचिवालय (कार्मिक विभाग) में नियन्त्रक (वित्त एवं लेखा) के पद पर नियुक्त करने के भी आदेश देते हैं।

कंवर शमशेर सिंह,  
वित्तायुक्त एवं सचिव।

FOOD & SUPPLIES DEPARTMENT  
CORRIGENDUM

Shimla-2, the 2nd June, 1995

No. FDS. B (4)-9/82.—The words "Under Rule 56 (d) of the Himachal Pradesh Financial Rules" appearing in 2nd & 3rd lines of this department notification of even number, dated 31-5-1995 granting extension in service, in favour of Shri Satya Dev Sharma, Deputy Controller, Legal Metrology (Weights & Measures) may be read as "under Rule 56 (d) of the Fundamental Rules."

By order,  
P. S. NEGI,  
Financial Commissioner-cum-Secretary.

## सिचाई एवं जन स्वास्थ्य विभाग

## अधिसूचना

शिमला-2, 21 जुलाई, 1995

मंशु सिचाई 11-26/95-सोलन.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी क्षेत्र पर सार्वजनिक प्रयोजन हेतु नाममात्र गांव डोंगरी को सेर, तहसील कसौली, जिला सोलन में पम्प हाऊस के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणों में निविष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हैं, या हो सकते हैं की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत अधिकारियों, उनके कर्मचारियों और अधिकारियों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. अत्याधिक आवश्यकता को दृष्टि में रखते हुए, राज्यपाल, हिमाचल प्रदेश उक्त अधिनियम की धारा 17 की उप-धारा (4) के अधीन यह भी निदेश देते हैं कि उक्त अधिनियम की धारा 5(ए) के उपबन्ध इस मामले में लागू नहीं होंगे।

## विनिर्देश

जिला : सोलन तहसील : कसौली

गांव खसरा नं० रकाब  
डोंगरी की सेर 65/1 0 05 14

आदेश द्वारा,

सी० पी० बुचन,  
वित्ताभुक्त एवं कृषि।

## LABOUR &amp; EMPLOYMENT DEPARTMENT

## NOTIFICATION

Shimla-2, the 27th June, 1995

No. 19-8/90 Shram-Vol-IV Loose.—In exercise of the power vested in him under Section 17(1) of the Industrial Disputes Act, 1947, the Governor, Himachal Pradesh is pleased to order the Publication of the awards in the Rajpatra, announced by the Presiding Officer, Labour Court in respect of the following cases:—

Sl. Case No.	Parties	Section	Remarks
1	2	3	4
1. Ref-34/94	Madhu Sharma v. Principal, D.A.V. Public School, Palampur, District Kangra.	10	For publication.
2. Ref-124/93	Narayan Singh v. President, Notified area Committee, Jogindernagar.	-do-	-do-
3. Ref-18/93	Tej Kumar v. Secretary, Municipal Committee, Bilaspur, (H. P.)	-do-	-do-

1	2	3	4	5
4. Ref-89/93	Dashrath Kumar v. M/s Triveni Castings, Parwanoo.	10	For publication	
5. Ref-36/93	Jai Kishan and Tejinder Singh v. Managing Director, General Industrial Corp. Ltd., Shimla and others.	-do-	-do-	
6. Ref-84/91	Rajesh Kumar Sharma v. Regional Director M/s OTIS Elevator Company (India) Ltd. (Northern Region), Himachal House, II Kasturba Gandhi Marg, New Delhi.	-do-	-do-	
7. Ref-43/94	Roop Lal v. Divisional Manager, Himachal Road Transport Corp. Mandi, H.P.	-do-	-do-	
8. Ref-67/93	Santosh Kumar v. Block Devp. Officer, Bhavarna, District Kangra, H. P.	-do-	-do-	
9. Ref-65/92	Prabhat Samuel v. Management of M/s Continental Construction Ltd., Lachori, District Chamba, H.P.	-do-	-do-	
10. Comp.8/94	Ram Dev v. M/s Ranger Breweries Ltd. Mehatpur, District Una, H.P.	Section 33-A	-do-	
11. Comp.13/94	Ashwani Kumar v. M/s Ranger Breweries Ltd., Mehatpur, District Una, H.P.	-do-	-do-	
12. Comp.12/94	Tilak Dhari v. M/s Ranger Breweries Ltd., Mehatpur, District Una, H. P.	-do-	-do-	
13. Comp.11/94	Moti Lal v. Ranger -do-	-do-	-do-	
14. Comp.10/94	Mool Raj v. M/s Ranger -do-	-do-	-do-	
15. Comp.7/94	Telu Ram v. M/s Ranger -do-	-do-	-do-	
16. Comp.9/94	Shri Krishan v. Ranger -do-	-do-	-do-	
17. Comp.3/94	Parare Singh v. M/s Ranger -do-	-do-	-do-	
18. Comp.4/94	Jasmer Singh v. M/s Ranger -do-	-do-	-do-	
19. Comp.6/94	Satpal Singh v. M/s Ranger -do-	-do-	-do-	
20. Comp.5/94	Bhina Singh v. M/s Ranger -do-	-do-	-do-	
21. Ref.34/92	Vijay Kumar v. Management of M/s Auto Ancillary Ltd. Parwanoo, District Solan, H.P.	Section 10	-do-	
22. Comp.2/94	Subhash Kumar v. M/s Ranger Breweries Ltd., Mehatpur.	Sec. 33-A	-do-	

By order,  
S. S. SIDHU,  
Financial Commissioner-cum-Secretary.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Reference No. 34 of 1994

Instituted on: 30-4-1994

Decided on: 21-4-1995

Madhu Sharma. ... Petitioner.

Versus

Principal, D.A.V. Public School, Palampur, District  
Kangra ... Respondent.

Reference under Section 10 of the Industrial Disputes  
Act, 1947.

For petitioner: Shri Ajay Dogra, AR.

For respondent: Shri Saketer Singh, AR.

#### AWARD

Through this reference, the State Government has referred the dispute regarding the termination of the services of Smt. Madhu Sharma, hereinafter, referred to as 'petitioner', for determination by this Court.

2. The case of the petitioner is that she was employed as Clerk by the Principal, D.A.V. Public School, Palampur, hereinafter, referred to as 'respondent' on 15-9-1989 and thereafter, she worked continuously till 27-3-1993, on which date her services were terminated by the respondent without any notice and compensation. Thus, it is alleged that the respondent has terminated the services of the petitioner illegally and as such, the termination of the petitioner be set aside and she be reinstated with full back wages.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that services of the petitioner were not terminated, but, she had abandoned the job herself. It is also stated that the present reference is not maintainable because the respondent-school is not an industry and as such, the case of the petitioner does not fall within the purview of the Industrial Disputes Act, 1947.

4. On the pleadings of the parties, following issues were framed:—

- Whether the termination of the petitioner Smt. Madhu Sharma is illegal and unjustified? If so, to what relief the petitioner is entitled to? OPR.
- Whether the reference is not maintainable, as alleged? OPR.
- Whether the respondent-school is not an Industry, as alleged? If so, its effect? OPR.
- Relief.

5. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1	Yes.
Issue No. 2	No
Issue No. 3	No
Relief:	Reference answered in favour of the petitioner.

#### REASONS FOR DECISION

6. Issue No. 1.—Admittedly, the respondent has not complied with the relevant provisions of the Industrial Disputes Act, 1947 while dispensing with the services of the petitioner. The plea of the respon-

dent is that since School is not an industry, the provisions of the Industrial Disputes Act are not applicable to the petitioner. In order to appreciate the said plea of the respondent, the present case has to be examined in the light of the provisions of Section 2 (j) of the Industrial Disputes Act, 1947, which section defines the word "industry". The Industrial Disputes Act, 1947 was amended in 1982 by amendment Act No. 46 of 1982 as a result of which word 'industry' which finds place in Section 2 (j) of the Industrial Disputes Act, 1947 was also amended. But, it remains a fact that this amendment did not legally come into force because no notification was issued by the Central Government by way of which the said amendment was to come into force. Therefore, if the present case is examined in the light of old definition of 'industry' then, industry means any business, trade, undertaking manufacture or calling of employers and includes any calling service, employment handicraft or industrial occupation or avocation of workman. In case titled *Miss a Sundram Ball V/s Government of India Damman and Diu*, AIR-1988 SC-1700, the Hon'ble Supreme Court has held that though school is an industry, but, teachers employed therein are not workmen. In para 9 of the said judgment, it has been held that a workman is a person who is employed in any industry to do any skilled or unskilled manual, supervisory, technical or clerical work for hire or reward. Therefore, doing manual or clerical work by a person would bring him within the ambit of workman.

7. Seemingly enough, law aforesaid which has been laid down by the Hon'ble Supreme Court would clearly go to show that School falls within the definition of word "industry". Similarly, a person doing manual or clerical work also falls within the ambit of the term "workman". Therefore, in view of the said legal position, it can clearly be held that the respondent-school is an industry and the petitioner is a workman. As such, the provisions of the Industrial Disputes Act, 1947 are applicable to the respondent and the petitioner is a workman and she is entitled to the protection of relevant provisions of the Industrial Disputes Act. The respondent has also taken the plea that the petitioner had abandoned the job herself. I have examined the said plea and find that whatsoever evidence the respondent has led in support of the said plea, the same is neither credible nor convincing. Thus, I hold that the respondent has failed to prove that the petitioner had abandoned the job herself. Therefore, it has clearly been proved that the respondent has terminated the services of the petitioner without complying with the provisions of the Industrial Disputes Act, 1947. Section 25-F of the Industrial Disputes Act, 1947 which section deals with the termination cases like the present one, provides that no workman, who has rendered at least one year continuous service, shall be terminated except after the expiry of thirty days notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is also provided in the said section of Law that such workman shall also be entitled to compensation equivalent to fifteen days average wages for every completed year of service. Further, Section 25-B of the Industrial Disputes Act, 1947 defines the term 'one year continuous service'. It provides that a workman who has actually worked for 240 days in a calendar year, shall be deemed to have rendered one year continuous service. Thus, before a worker can claim protection of Section 25-F of the Industrial Disputes Act, 1947, he must prove that he had worked for 240 days during the calendar year preceding the date of his termination. Conversely, it would mean that the worker who has not worked for 240 days during the calendar year preceding the date of his termination, is not entitled to the benefit of Section 25-F *supra*. The employer has to comply with the said provisions of Section 25-F of the Industrial Disputes Act, 1947 at the time of termination of the worker. The said provisions of Section 25-F of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal.

8. Now, the question arises as to whether the petitioner is entitled to the protection of Section 25-F of the

Industrial Disputes Act, 1947 or not. In this connection, it may be stated that earlier at the initial stage of the case, the respondent had raised the plea that the petitioner had not worked for 240 days during the relevant period and as such, she was not entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947. However, after the respondent was ordered to place on record the details of the working days of the petitioner, it was revealed that the petitioner had worked for 296 days during the relevant period. This fact is evident from Ex. CX, which is the statement of working days of the petitioner. This statement has been prepared by the respondent. Thus, the respondent has admitted that the petitioner has worked for 296 days during the relevant period. Therefore, it can clearly be held that the petitioner had worked for 240 days during the calendar year preceding the date of her termination. As such, the petitioner is entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947.

9. Evidently, the discussion aforesaid would make it clear that the respondent has flagrantly violated the mandatory provisions of the Industrial Disputes Act, 1947 while dispensing with the services of the petitioner. As such, I hold that the termination of the petitioner is illegal and unjustified and the petitioner is entitled to re-instatement. Thus, the petitioner has proved this issue. Accordingly, this issue is decided in favour of the petitioner.

#### Issue No. 2 and 3 :

10. Both these issues are interlinked and as such, the same are have been taken up together for discussion and decision. While disposing of issue No. 1, *supra*, it has clearly been held that the respondent-school is an industry and as such, the petitioner is a workman. Therefore, the objection of the respondent that the present reference is not maintainable because the respondent-school is not an industry, is not tenable. Accordingly, I hold that the respondent has failed to prove both these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

11. Keeping my findings on the aforesaid issues in view, I hold that the termination of the petitioner is illegal and unjustified and as such, the same is set-aside and the petitioner is ordered to be re-instated with full back wages to the same status which she was holding at the time of her termination. As such, the reference is answered in favour of the petitioner and same stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its due publication in the H.P. Rajpatra in accordance with law. A copy of this award be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,  
Presiding Officer,  
Labour Court, H. P., Shimla.  
Camp at Palampur.

In the Court of Shri B. S. Chouhan, Presiding Officer, Labour Court, Himachal Pradesh, Shimla

Reference No. 124 of 1993

Instituted on : 13-10-1993

Decided on 15-5-1995

Shri Narayan Singh .. Petitioner.

Versus

President, Notified Area Committee, Jogindernagar  
.. Respondent.

Reference under Section 10 of the Industrial Dispute Act, 1947.

For petitioner : Shri S. S. Pathania, A.R.

For respondent: Shri Moti Lal, A.R.

#### AWARD—

Through this reference, the State Government has referred the dispute regarding the termination of Shri Narayan Singh, hereinafter referred to as 'petitioner', for determination by this Court.

2. The case of the petitioner is that he is a diploma holder in Civil Engineering and he was employed by the President, Notified Area Committee, Jogindernagar, hereinafter referred to as 'respondent', as Junior Engineer on daily wages in the year, 1988 and thereafter, he worked continuously as Junior Engineer on daily wages till September, 1991. It is further stated that with effect from 1-10-1991 to 30-10-1992, he was paid the wages of Supervisor only though he continued working as Junior Engineer. It is alleged that on 1-11-1992, his services were terminated without any notice and compensation. Thus, the petitioner has stated that his termination is illegal and the same be set-aside and he be re-instated with back wages as Junior Engineer.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that the appointment of the petitioner was made for a specific period and after the expiry of the period of his employment, his services were terminated. Thus, it is stated that provisions of Industrial Disputes Act did not apply to the petitioner and as such, the respondent was not required to comply with the said provisions of law at the time of termination of the services of the petitioner. It is also stated that services of the petitioner could not be continued for want of funds. It is denied that petitioner was working as Junior Engineer at the time of his termination. It is stated that petitioner was working as Supervisor on daily wages at the time of his termination.

4. On the aforesaid pleadings of the parties, following issues were framed :—

1. Whether the termination of the petitioner Shri Narayan Singh is illegal and unjustified ?  
OPP.
2. Whether the petitioner Shri Narayan Singh had abandoned the job himself ?  
OPR.
3. Relief.

5. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under :—

#### FINDINGS

Issue No. 1 Yes.

Issue No. 2 No.

Relief. Reference answered in favour of the petitioner.

#### REASONS FOR DECISION

6. Issue No. 1.—The record of the case would go to show that initially the petitioner was appointed as Junior Engineer by the respondent in the year, 1988, but, subsequently, with effect from October, 1991, he was taken as Supervisor on daily wages and thereafter, he worked as Supervisor till 30-10-1992. It would also be evident from the evidence on record that the petitioner had raised objection against his appointment as Supervisor on daily wages, but, it remains a fact that the reference,



in question, has been made only to the effect as to whether the termination of the services of the petitioner as Supervisor on daily wages is legal or not. Therefore, the claim of the petitioner that he was appointed as Junior Engineer and he could not have been made as Supervisor and as such, he is entitled to re-instatement as Junior Engineer with back wages, cannot be examined in the present reference because such adjudication would be beyond the scope of this reference. Anyhow, it was for the petitioner to have raised the real dispute regarding his appointment as Junior Engineer or if the reference was not made correctly, he would have moved for amendment thereof. But, the petitioner has not done so. Therefore, it has to be taken that the petitioner has no grievance against the reference in question, and he wants the determination of the present dispute only to the effect as to whether his termination as Supervisor is legal or not. Apart from this, an alternative question has also been referred, in the referred, in question, and the same is to the effect as to whether the petitioner had abandoned the job himself or not. With respect to the said question of abandonment, the respondent has not stated, at all, anything either in its pleadings or in the evidence.

7. Having regard to the aforesaid facts and circumstances of the case, I would confine now only to the question as to whether the termination of the petitioner as Supervisor on daily wages is legal or not. It is admitted case of the parties that the petitioner had worked till 30-10-1992. Not only this, the respondent has also admitted that during the period from 30-10-1991 to 30-10-1992, the petitioner had actually worked for 315 days. This fact is evident from Ex. CX, which is the statement of actual working days of the petitioner for the period from November, 1991 to October, 1992. This statement has been placed on record by the respondent. In so far as the applicability of the Industrial Disputes Act, is concerned, it can clearly be held that in view of the nature of the functions and activities of the respondent, the respondent committee would squarely fall within the ambit of the Industrial Disputes Act, 1947 and the petitioner can thus, be termed as 'workman'. Now, it has to be seen as to whether the petitioner is entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947 which section deals with the termination cases like the present one. The said section of law provides that no workman, who has completed one year continuous service shall be terminated except after the expiry of thirty days notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is provided in the said section of law that at the time of termination, such workman shall also be entitled to compensation which shall be equivalent to fifteen days average wages for every completed year of service. Further, Section 25-B of the Industrial Disputes Act, 1947 defines the term 'one year continuous service'. It provides that a workman who has actually worked for 240 days in a calendar year, shall be deemed to have rendered one year continuous service. The said provisions of Section 25-F of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal.

8. Adverting to the facts and circumstances of the case and the evidence on record, it can straightaway be held that in the case in hand, the respondent has not complied with the said mandatory provisions of law. Apparently, the petitioner had worked for 315 days during the calendar year preceding the date of his termination and as such, he is entitled to the protection of the provisions of Section 25-F of the Industrial Disputes Act, 1947. This being so, it can clearly be held that the termination of the petitioner is illegal and unjustified. As regards the plea of the respondent that the appointment of the petitioner was for a specific period, there is no iota of evidence on record which may go to show that the appointment of the petitioner was a contractual one. Insofar as the plea with respect to paucity of funds is concerned, it may be stated that even if this plea is believed, even then, the respondent was required to comply with the provisions of Section 25-F of the Industrial Disputes Act, while dispensing with the services of the petitioner. Apparently, the respondent has

not done so.

9. The net result of the aforesaid discussion is that the termination of the petitioner as Supervisor is illegal and unjustified and the petitioner is entitled to re-instatement with back wages. Accordingly, I hold that the petitioner has proved this issue. As such, this issue is decided in favour of the petitioner.

10. *Issue No. 2.*—There is no evidence on record in support of this issue. Therefore, I hold that the respondent has failed to prove this issue. As such, this issue is decided against the respondent.

### RELIEF

11. Keeping my findings on the aforesaid issues in view, I hold that the termination of the petitioner as Supervisor on daily wages is illegal and unjustified and as such, the same is set-aside and the petitioner is ordered, to be re-instated as Supervisor on daily wages with full back wages. As such, the reference is decided in favour of the petitioner and the same stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its publication in accordance with law. A copy of this award be supplied to each of the parties free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 15th May, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Reference No. 18 of 1993

Instituted on: 16-1-1993

Decided on: 7-4-1995

Shri Tej Kumar

..Petitioner.

Versus

Secretary, Municipal Committee, Bilaspur, H.P.  
..Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioner: Shri Sunder Singh, AR.

For respondent: Shri Mohinder Singh, AR.

### AWARD

Through this reference, the State Government has referred the dispute regarding the termination of Shri Tej Kumar, hereinafter referred to as 'petitioner' for determination by this Court.

2. The case of the petitioner is that he was employed by the respondent as holder on daily wages on 1-6-1988 and thereafter, he worked continuously till 17-5-1991, when his services were terminated without any notice and compensation. Thus, the petitioner has alleged that his termination is illegal and the same be set-aside and to be re-instated with full back wages.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that the petitioner had abandoned the job himself and he was not terminated.

4. From the pleadings of the parties, following issues

were framed:—

1. Whether the termination of the petitioner is illegal and unjustified? OPP.
2. Relief.

5. I have heard the representatives of the parties and have gone through the record. For the reasons to be recorded hereinafter, my findings on the aforesaid issue are as under:—

#### FINDINGS

Issue No. 1	Yes
Relief.	Reference answered in favour of the petitioner.

#### Reasons for Decision

6. *Issue No. 1.*—The evidence on record would go to show that the petitioner was employed by the respondent as beldar on 1-6-1988 and thereafter, he worked as beldar till 17-5-1991 and after 17-5-1991, his services were terminated. Though the respondent has taken the plea that the petitioner had abandoned the job himself, but, this plea of the respondent has not been substantiated by the respondent because the evidence on record is not sufficient to prove that the petitioner had abandoned the job himself. Thus, I am of the view that the services of the petitioner were terminated. It is admitted case of the respondent that no notice was issued to the petitioner nor any compensation was paid to him. Now, it has to be seen as to whether the termination of the petitioner is illegal or not. For this purpose, the case of the petitioner has to be examined in the light of the provisions of Section 25-F of the Industrial Disputes Act, 1947, which section deals with the termination cases like the present one. Section 25-F of the Industrial Disputes Act, 1947 provides that no workmen, who has rendered at least one year continuous services, shall be terminated except after the expiry of thirty days' notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is also provided in the said section of law that such workman shall also be entitled to compensation equivalent to fifteen days' average wages for every completed year of service'. Further, Section 25-B of the Industrial Disputes Act, 1947 defines the term 'one year continuous service'. It provides that a workman who has actually worked for 240 days in a calendar year, shall be deemed to have rendered one year continuous service. In the case in hand, it is admitted case of the respondent-management that during the calendar year, preceding the date of his termination, the petitioner had worked for 365 days. This being so, the petitioner is entitled to the protection of Section 25-F supra. It is a settled principle of law that the provisions aforesaid of Section 25-F of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal. Admittedly, in the case in hand, the respondent has not complied with the provisions aforesaid of the Section 25-F of the Industrial Disputes Act, 1947. Thus it can straightaway be held that the termination of the petitioner is illegal and unjustified. As such, I hold that the petitioner has proved this issue. Accordingly, this issue is decided in favour of the petitioner.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, I hold that the termination of the petitioner is illegal and unjustified and as such the same is set-aside and the petitioner is ordered to be re-instated as beldar to the same job which he was doing at the time of his termination. As regards back wages, it is admitted by the AR, of the petitioner that the petitioner had been working in other departments after the date of his termination. As such, the petitioner is not entitled to back wages. However, the petitioner shall be entitled to continuity of service in respect of the period after his termination, till he joins duty. As such, the reference stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2,

for its due publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this award be supplied to each of the parties, free of cost, if applied for. This be consigned to record room, after its completion.

Announced in the Open Court today the 7th April, 1995 in the presence of the parties.

Seal.

B. S. CHOUDHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Choudhan, Presiding Officer  
Labour Court, Himachal Pradesh, Shimla

Reference No. 89 of 1993

Instituted on: 8-7-1993

Decided on: 25-4-1995

Shri Dashrath Kumar .. Petitioner.

Versus

M/s Triyeni Castings, Parwanoo .. Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioner : Shri J. C. Bhardwaj, AR.

For respondent: None.

#### AWARD

Through this reference, the State Government has referred the dispute regarding the termination of Shri Dashrath Kumar, hereinafter referred to as 'petitioner', for determination by this Court.

2. The case of the petitioner is that he was employment by M/s Triyeni Castings, Parwanoo, hereinafter referred to as 'respondent' as worker on 10-1-1992 and thereafter, he worked continuously till 28-8-1992 when his services were terminated without any notice and compensation. The petitioner has alleged that his termination is illegal and the same be set-aside and he be re-instated with full back wages.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that the petitioner was not terminated from service, but, he had abandoned the job himself.

4. From the pleadings of the parties, following issues arise for decision:—

1. Whether the termination of the petitioner Shri Dashrath Kumar is illegal and unjustified? if so, to what relief the petitioner is entitled to? OPP.
2. Relief.

5. I have heard the representative of the petitioner and have gone through the relevant record. I have also gone through the written arguments submitted by the parties representatives. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	No
Relief:	Reference decided against the petitioner.

#### REASONS FOR DECISION

6. *Issue No. 1.*—In order to determine the question as to whether the termination of the petitioner is illegal or not, the case of the petitioner has to be examined in the light of the relevant provisions of the Industrial

Disputes Act, 1947 Section 25-F of the Industrial Disputes Act, 1947 deals with the termination cases like the present one. It provides that no workman, who has rendered at least on year continuous service shall be terminated except after the expiry of thirty days notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is also provided in the said section of law that such workman shall also be entitled to compensation equivalent to fifteen days average wages for every completed year of service. Further Section 25-B of the Industrial Disputes Act, 1947 defines the term 'one year continuous service'. It provides that a workman who has actually worked for 240 days on a calendar year, shall be deemed to have rendered on year continuous service. Thus, before a worker can claim benefit and protection of Section 25-F of the Industrial Disputes Act, 1947, he must prove that he had worked for 240 days during the calendar year preceding the date of his termination. Conversely, it would mean that a worker who has not worked for 240 days during the calendar year preceding the date of his termination, would not be entitled to the benefit of Section 25-F supra. The employer has to comply with the said provisions of Section 25-F of the Industrial Disputes Act, 1947 at the time of termination of the worker. The said provisions of Section 25-F of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal.

7. Adverting to the acts and circumstances of the case and the evidence on record, it may be stated that the petitioner had worked only for 138 days during the period from 10-1-1992 to 28-8-1992. This fact is evident from the evidence of the respondent. The petitioner has failed to rebut the said evidence so as to show that he worked for 240 days during the period in question. Therefore, the petitioner is not entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947 because he has not worked for 240 days during the relevant period. As such, even if it is held that the petitioner has not abandoned the job himself, but, he was terminated, even then the respondents was not obliged to comply with the provisions aforesaid of Section 25-F of the Industrial Disputes Act 1947, while dispensing with the services of the petitioner. Thus, I hold that the petitioner has failed to prove that his termination is illegal and unjustified. As such, this issue is decided against the petitioner.

#### RELIEF

8. Keeping my findings on the aforesaid issues in view, I hold that the petitioner is not entitled to any relief. Therefore, the reference is decided against the petitioner and same stands disposed of. A copy of this award is sent to Government of Himachal Pradesh for publication. The record of this reference be consigned to the record room after its completion.

Announced in Open Court today the 25th April, 1995.

Seal.

B. S. CHOUHAN,

Presiding Officer.

Labour Court, Himachal Pradesh.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Reference No: 36 of 1993

Instituted on: 3-2-1993

Decided on: 1-4-1994

S/Shri Jai Kishan and Tajinder Singh ..Petitioners

Versus

1. Managing Director, General Industrial Corporation Ltd., Shimla (H.P.).

2. General Manager, Country Liquor Bottling

Plant, Mehatpur, District Una, H.P. .. Respondents.

Reference: under Section 10 of the Industrial Disputes Act, 1947.

For petitioners: Shri R. K. Singh, AR.

For respondents: Shri R.L. Kaith, AR.

#### AWARD

Through this reference, the State Government has referred the dispute regarding the termination of S/Shri Jai Kishan and Tajinder Singh, hereinafter referred to as 'petitioners', for determination by this Court.

2. The case of the petitioners is that they were appointed by the management, Country Liquor Factory Mehatpur, hereinafter referred to as 'respondents' as workman. Shri Jai Kishan was appointed on 8-8-1989 as fitter, while the other petitioner Shri Tajinder Singh was appointed as mazdoor on 7-6-1989. Subsequently, Shri Jai Kishan was terminated on 19-2-1991, while Shri Tajinder Singh was terminated on 31-3-1991. It is stated that both the petitioners had worked for more than 240 days before their terminations. However, it is stated that the respondent management had not complied with the provisions of Section 25-F of the Industrial Disputes Act, 1947 before terminating their services because neither any notices were served upon them nor any wages in lieu of notices were paid to them. The petitioners. Thus, the petitioners have stated that Similarly, it is stated that no compensation was paid to their terminations are illegal and the same be set aside and they be re-instated with full back wages.

3. On the other hand, the respondents have contested the claim aforesaid of the petitioners on the ground that the petitioners had been appointed against specific work i.e. in connection with the construction of liquor tank and after the said work was over, their services were terminated. Thus, the respondents have raised the plea that the appointments of both the petitioners were for specific periods on contract basis and as such, the petitioners are not entitled to the protection of the provisions of Section 25-F of the Industrial Disputes Act, 1947.

4. On the aforesaid pleadings of the parties, following issues were framed:

1. Whether the terminations of the petitioners by the management are legal and justified as alleged? OPR.
2. Whether the petitioners were employed on a specified job for a particular period as alleged? OPR.
3. Relief.

5. I have heard the representatives of the parties and have gone through the record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1: No  
Issue No. 2: No

Relief: Reference answered in favour of the petitioner

#### REASONS FOR DECISION

6. Issue No. 1.—It is admitted case of the respondents that both these petitioners had worked for more than 240 days during the calendar year preceding the dates of their terminations. In order to obtain relief under Section 25-F of the Industrial Disputes Act, 1947, which section deals with the termination cases like the present one, the aggrieved workman has to establish that he had worked for 240 days during the calendar year preceding the date of his termination. Evidently, in the case in hand, since the respondents have admitted that the petitioners had worked for 240 days during the



calendar year preceding the date of termination of the petitioners, the petitioners are entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947. Section 25-F of the Industrial Disputes Act, 1947 provides that not workman who has rendered at least one year continuous service shall be terminated except after the expiry of thirty days notice or in lieu of such notice he shall be paid wages for one month. Apart from this it is also provided in the said section of law that at the time of termination, such workman shall also be paid compensation which shall be equivalent to fifteen days average wages for every completed year of service. It is also admitted case of the respondents that compliance of Section 25-F of the Industrial Disputes Act has not been made in this case because the case of the respondents in that since appointments of both the petitioners were made for specific periods the petitioners are not entitled to the protection of the provisions aforesaid of Section 25-F of Industrial Disputes Act, 1947. There is no denying the fact that contract appointment does not fall within the purview of Section 25-F of the Industrial Disputes Act, 1947. However, it remains a fact that there is no cogent and reliable evidence on record, which may go to show that the appointments of both these petitioner were contract appointments. So much so, no copies of appointment letters of the petitioners have been placed on record by the respondents so as to prove that their appointments were made on contract basis. The respondents have examined Shri S.N. Sinha (RW-1), the who is Officer on Special Duty of the respondent-management and he has also stated that no letters of appointments were issued in favour of the petitioners at the time of their appointments. However, the bad assertion of Shri S. N. Sinha to the effect that the appointments of the petitioners were for specific periods cannot be believed especially in the absence of any documentary proof on record. Any show, it was iniquitous upon the respondents to have been specific evidence so as to prove their stand to the effect that the appointments of both the petitioners were contract appointments. Therefore, I am of the view that the evidence aforesaid which the respondents have led in support of their stand is not sufficient. Accordingly, I hold that the appointments of petitioners were not contract appointments and as such the petitioners are entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947. This being so, I come to the conclusion that the terminations of the petitioners are illegal and as such, the petitioners are entitled to re-instatement with back wages. As such, the respondents have failed to prove this issue. Accordingly, this issue is decided against the respondents.

7. Issue No. 7.—As already stated above, the respondents have failed to prove that the petitioners were employed for a specific period on contract basis. This being so, the respondents have failed to prove this issue. As such, this issue is decided against the respondents.

#### RELIEF

8. Keeping my findings on the aforesaid issues in view, I hold that the terminations of both the petitioners are illegal and as such, the same are set-aside and both the petitioners are ordered to be re-instated with back wages which are fixed at Rs. 17,500/- in case of Shri Jai Kishan and at Rs. 12,500/- in case of Shri Tajinder Singh. As such, the reference stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this award be supplied to each of the parties free of costs, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 1st April, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Reference No: 84 of 1991

Instituted on: 22-2-1991

Decided on: 5-4-1995

Shri Rajesh Kumar Sharma. ..Petitioner.

Versus

Regional Director,  
M/s OTIS Elevator Company (India) Ltd., (Northern  
Region), Himachal House II, Kasturba Gandhi Marg,  
New Delhi. ..Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For petitioner: In person with Shri J. C. Bhardwaj,  
AR.

For respondent: Shri B. N. Pandey, AR.

#### AWARD

Through this reference, the State Government has referred the dispute regarding the termination of Shri Rajesh Kumar Sharma, hereinafter referred to as petitioner., for determination by this Court.

2. The case of the petitioner is that he was appointed by M/s OTIS Elevator Company (India) Limited, New Delhi, hereinafter referred to as 'respondent' as casual worker in 1985 and thereafter, he worked as casual worker till 1989 and on 1-1-1990, he was appointed as field trainee for six months. It is further stated that after expiry of six months in June, 1990, his training period was extended by three months till August, 1990 and in August, 1990, after the expiry of the said period of three months, his services were terminated without notice and compensation. Thus, it is stated that his termination is illegal and as such, the same be set-aside and he be re-instated with full back wages.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that the petitioner had never served as casual worker and he had directly been selected as field trainee. It is further stated that since the performance of the petitioner as field trainee was poor and the same was not upto the required standard, his services were dispensed with in accordance with the terms of the contract of training. Thus, it is stated that his appointment was a contractual one.

4. On the aforesaid pleadings of the parties, my learned predecessor had framed the following issues:—

1. whether the petitioner was terminated illegally by the management without justification? OPP.
2. Whether the petitioner was a trainee as alleged and he was not found suitable for the job? OPP.
3. Relief.

5. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1: No  
Issue No. 2: Yes  
Relief: Reference answered against the petitioner.

#### REASONS FOR DECISION

6. Issue No. 1.—The evidence of the parties on

record would go to show that the petitioner Shri Rajesh Kumar Sharma was appointed as direct Field Trainee under 1-1-1990 and he had joined as Field Trainee under 10-2-1990. This appointment of the petitioner as Field Trainee was for a period of six months. After completion of six months training, the petitioner could not qualify the test which was held by the respondent-management in order to find out as to whether the petitioner had acquired the practical knowledge as Field Trainee. The performance of the petitioner in the said test was found poor. However, the management had given extension of three months to the petitioner to improve his performance. But despite the extension of three months, the petitioner did not improve and ultimately, the services of the petitioner were terminated by the respondent.

7. During the course of the proceedings of this case, my learned predecessor had ordered on 4-11-1992 that the petitioner be taken back as trainee and he be given training for a period of six months. Accordingly, the management had taken back the petitioner and had given training to him. Subsequently, when the petitioner was asked to appear for the test in respect of the said training after the expiry of the said period of training of six months, he had declined to appear in the said test. Thereafter, my learned predecessor had appointed Shri N. K. Vayas, Executive Engineer (Electrical) as an expert to examine the fitness of the petitioner as Field Trainee. Accordingly, Shri Vayas had conducted the test of the petitioner on 28-6-1993 and had found that the performance of the petitioner was not satisfactory. The report of Shri N. K. Vayas is Ex. CN. Shri N. K. Vayas (PW-1) has also been examined as witness and he has proved the said report and has stated that the petitioner had failed in the test. Even the petitioner Shri Rajesh Kumar Sharma (PW-2) while appearing as his witness has stated that he had failed in the test, which was conducted by the respondent-management. Similarly, he has not raised any objection against the report of Shri N. K. Vayas and as such, it can safely be presumed that the petitioner has not assailed the report of Shri N. K. Vayas. Therefore, it is quite clear from the evidence on record that the petitioner was appointed as Field Trainee and his appointment was a contractual one and after the expiry of the contract of training, the services of the petitioner were dispensed with according to the terms of the contract of training because he had failed to pass the test which was a condition precedent of such training.

8. Shri J. C. Bhardwaj, representative of the petitioner has also not raised any argument against the performance of the petitioner as Field Trainee, which would clearly go to show that the petitioner has nothing to say about his termination as field trainee. However, Shri Bhardwaj has argued that since before his selection as Field Trainee, the petitioner was working as casual worker with the respondent-management, he could not have been terminated unless he was served with a notice and was paid compensation. Thus, he has stated that the termination of petitioner is illegal and he is entitled to re-instatement as casual worker.

9. I have considered the argument aforesaid of Shri Bhardwaj and have scrutinized the relevant evidence on record. Though strictly speaking, the reference, in question, relates only to the termination of the petitioner as Field Trainee, but, even if the claim aforesaid of the petitioner with respect to his status as a casual labour is also considered, even then on the basis of evidence on record, which has been led by the petitioner, it can clearly be held that the petitioner is not entitled to any relief. It is a settled proposition of law that a casual worker is not entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947, which section deals with the termination cases. However, if a casual worker has worked for more than 240 days in a calendar year, then he is deemed to have acquired the status of regular worker and is entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947. In the case in hand, the petitioner has not only categorically admitted that he does not have any documentary proof to the effect that he had worked as casual during the period from 1985 to 1989, but, he has also not

stated even a single word to the effect that he had worked for 240 days during the relevant calendar year. Thus, the petitioner has miserably failed to prove that he had actually worked as a casual worker and had worked for 240 days during the relevant calendar year and had thus, acquired of a regular worker. Not only this, the appointment of the petitioner as Field Trainee was a direct one and as such, the same was independent of his previous status, if any, because it is clear from the evidence on record that the petitioner was selected for the training, in question, and was not promoted as Field Trainee. Therefore, I am clearly of the view that on this score also the petitioner is not entitled to any relief.

10. For the reasons stated above, I come to the conclusion that the termination of the petitioner as Field Trainee has rightly been made and the petitioner is not entitled to any relief either as a Field Trainee or as a casual worker. As such, the petitioner has failed to prove this case. Accordingly, this issue is decided against the petitioner.

11. *Issue No. 2*:—As already stated above, while disposing of issue No. 1, supra, the petitioner was a trainee and since he was not found suitable for the job, the respondent has rightly terminated the services of the petitioner in accordance with the terms of the contract of training. As such, the respondent has proved this issue. Accordingly, this issue is decided in favour of the respondent.

#### RELIEF

12. Keeping my findings on the aforesaid issues in view, I hold that the termination of the petitioner is legal and justified and the petitioner is not entitled to any relief. As such, the reference is decided against the petitioner. Accordingly, the reference stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its publication in the Himachal Pradesh Rajpara in accordance with law. A copy of this award be supplied to each of the parties, free of cost if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 5th April 1995 in the presence of the parties.

**B. S. CHOUHAN**  
Presiding Officer, Labour Court,  
Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Reference No. 43 of 1994

Instituted on 16-6-1994

Decided on 25-4-1995

Shri Roop Lal

.. Petitioner

Versus

Divisional Manager Himachal Road Transport,  
Corporation, Mandi, (H. P.) .. Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioner : Shri Sunder Singh, AR

For respondent : Shri K. C. Chouhan, AR.

#### AWARD

1. Through this reference, the State Government has referred the dispute regarding the termination of Shri Roop Lal, hereinafter referred to as 'petitioner'.

for determination by this Court.

The case of the petitioner is that he was employed by the Divisional Manager, H. R. T. C., Mandi, herein after referred to as 'respondent' as beklar on daily wages on 26-10-1989 in H. R. T. C. Workshop at Bilaspur and thereafter, he worked continuously till 25-10-1990 when his services were terminated without any notice and compensation. The petitioner has alleged that his termination is illegal and the same is set aside and he is reinstated with back wages.

On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that the petitioner was a casual worker and as such, he was not entitled to any compensation at the time of his termination. It is also stated that the petitioner had been employed for specific work and after the completion of the said work, the service of the petitioner was dispensed with. Thus, it is stated that the petitioner is not entitled to any relief.

On the aforesaid pleadings of the parties, following issues were framed:—

1. Whether termination of the petitioner is illegal and unjustified? If so, to what relief the petitioner is entitled to? (OP).
2. Relief.

I have heard the representatives of the parties and have gone through the record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1	Yes.
Relief :	Reference answered in favour of the petitioner.

#### REASONS FOR DECISION

6. **Issue No. 1.**—It is admitted case of the respondent that at the time of termination of the petitioner, compliance of the relevant provisions of the Industrial Disputes Act, 1947 was not made. In order to defeat the claim of the petitioner, the respondent has taken the plea that the petitioner was a casual worker and as such, he was not entitled to the protection of the provisions of the Industrial Disputes Act. I have considered the said plea and am of the view that the same does not have any basis. No doubt, the provisions of Industrial Disputes Act dealing with termination of workers are not applicable to a casual worker, but the evidence on record would go to show that at the time of termination, the petitioner was a regular worker. It is a settled principle of law that a worker can be termed as casual worker only till he has not worked for 240 days in a calendar year. However, after a worker has worked continuously for 240 days in a calendar year, he ceases to be a casual worker and acquires the status of a regular worker. In the case in hand, the petitioner had worked for 307 days during the period from 26-10-1989 to 25-10-1990. This fact has been admitted by the respondent in its reply in which details of working days of the petitioner have been mentioned. Thus, it would not be correct to say that the petitioner was only a casual worker. Section 25-B of the Industrial Disputes Act, 1947, which section deals with termination cases like the present one, provides that no workman, who has rendered at least one year continuous service shall be terminated except after the expiry of thirty days notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is also provided in the said section of law that such workman shall also be entitled to compensation which shall be equivalent to 15 days average wages for every completed year of service. Further, Section 25-B of the Industrial Disputes Act, 1947 defines the term 'One year continuous service'. It provides that a workman who has actually worked for 240 days in a calendar year, shall be deemed to have rendered one year continuous service.

The compliance of the said provisions of Section 25-B of the Industrial Disputes Act, 1947 has to be made at the time of termination of a worker. Further the said provisions of Section 25-B of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal.

6. Adverting to the facts and circumstances of the case, it can straightaway be held that the petitioner Shri Roop Lal is entitled to the protection of Section 25-B of the Industrial Disputes Act, 1947, because he had worked for 307 days during the calendar year preceding the date of his termination. Evidently, the respondent has not complied with the provisions of the Section 25-B of the Industrial Disputes Act, 1947 while dispensing with the services of the petitioner. As such, the termination of the petitioner is illegal and unjustified. As regards the plea of the respondent that the petitioner was employed for specific work and after completion of the said work, his services were dispensed with, it may be stated that this plea has not been proved by the respondent because there is no credible and convincing evidence on record so as to prove that the petitioner was employed only for a specific period. Accordingly, I hold that the termination of the petitioner is illegal and unjustified. As such, the petitioner has proved this issue. Accordingly, this issue is decided in favour of the petitioner.

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7. Keeping my findings on the aforesaid issues in view, I hold that the termination of the petitioner is illegal and unjustified and as such, the same is set aside and the petitioner is ordered to be re-instated with full back wages. As such, the reference is answered in favour of the petitioner and same stands disposed of. A copy of this award is sent to the Government of Himachal Pradesh Shimla-2 for its due publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this award be supplied to each of the parties free of cost, if applied for. This be consigned to record room after its completion.

Announced in his Open Court today the 25th April, 1995 in the presence of the parties.

Seal. B. S. CHAUHAN,  
Presiding Officer,  
Labour Court, H. P.,  
Shimla.

In the Court of Shri B. S. Chauhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Reference No. 67 of 1993

Instituted on : 1-6-1993

Decided on : 21-4-1995

Shri Santosh Kumar. .. Petitioner.

Versus

Block Development Officer, Bhawarna, District  
Kangra. .. Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947).

Shri S. S. Pathania, AR for petitioner.

Shri Girish Sharma, AR. for respondent.

#### AWARD

1. Through this reference, the State Government has referred the dispute regarding the termination of the services of Shri Santosh Kumar, hereinafter referred to as 'petitioner', for determination by this Court.

2. The case of the petitioner is that he was employed by the Block Development Officer, Bhawarna, herein-

after referred to as 'respondent' as supervisor on daily wages on 1-4-1979 and since then, he worked continuously till 30-6-1992 on which date, his services were terminated without any notice and compensation. The petitioner has alleged that his termination is illegal and the same be set-aside and he be re-instated with back wages.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that the petitioner was found guilty of misconduct and as such, his services were dispensed with. It is further stated that the Rural Development Department does not fall within the purview of Industrial Disputes Act, 1947 and as such, the petitioner is not entitled to the protection of the provisions of Industrial Disputes Act, 1947. Lastly, it is stated that the services of the petitioner could not be continued beyond 30-6-1992 because of paucity of funds.

3. On the aforesaid pleadings of the parties, following issues were framed:—

1. Whether the termination of the petitioner Shri Santosh Kumar is illegal and unjustified? If so, to what relief the petitioner is entitled to?  
OPP

2. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1 : Yes

Relief : Reference answered in favour of the petitioner.

#### REASONS FOR DECISION

5. Issue No. 1.—There is no denying the fact that the petitioner has worked as Supervisor on daily wages for 14 years and his services have been dispensed with without complying with the relevant provisions of the Industrial Disputes Act, 1947. The respondent has raised two pleas in order to defeat the claim of the petitioner. The first plea is that the Rural Development Department does not fall within the purview of the Industrial Disputes Act, 1947 and as such, the provisions of the Industrial Disputes Act, 1947 do not apply to the present case. The second plea is that the petitioner had created nuisance and indiscipline in 'Bhikha-Shah' Fair as a result of which he was found guilty of misconduct and as such, his services were dispensed with. I have considered both these pleas and have also scrutinised the relevant evidence on record and am of the view that, for the reasons to be recorded hereafter, both these pleas do not hold good. With respect to the first plea aforesaid, it has to be seen as to whether on the basis of its functions, the Rural Development Department can be termed as so as to bring this department within the ambit of the word 'industry', which has been given in Section 2 (j) of the Industrial Disputes Act, 1947. For this purpose, the definition of word 'Industry' has first to be examined. Section 2 (j) of the Industrial Disputes Act, 1947 which defines word 'Industry' is as follows:—

"industry" means any systematic activity carried on by co-operation between an employer and his workmen (whether such workmen are employed by such employer directly or by or through any agency, including contractor) for the production, supply or distribution of goods or services with a view to satisfy human wants or wishes.....

The sum and substance of the aforesaid definition of the word "industry" is that any department which renders services would fall within the ambit of word "industry". Evidently, the Rural Development Department is ren-

dering services to the people being a public utility department and as such, the functions of this department would squarely fall within the ambit of the definition aforesaid of the word "industry". This being so, the petitioner is entitled to the protection of the relevant provisions of Industrial Disputes Act, 1947. Section 25-F of the Industrial Disputes Act, 1947 which section deals with the termination cases like the present one, provides that no workman, who has rendered at least one year continuous service shall be terminated excepted after the expiry of thirty days notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is also provided in the said section of law that such workman shall also be entitled to compensation equivalent to fifteen days average wages for every completed year of service. Further, Section 25-B of the Industrial Disputes Act, 1947 defines the term "one year continuous service". It provides that a workman who has actually worked for 240 days in a calendar year, shall be deemed to have rendered one year continuous service. The employer has to comply with the said provisions of Section 25-F of the Industrial Disputes Act, 1947 at the time of termination of the worker. The provisions of Section 25-F of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal. Apparently, in the case in hand, the respondent has not, at all complied with the said provisions of law. Therefore, it can straightaway be held that the termination of the petitioner on this ground, is illegal and unjustified.

6. Coming to the second plea of the respondent, it may be stated that though, in the reference, in question, the question for determination is only with respect to the legality of the termination simpliciter, but, while filling reply to the statement of claim, the respondent has taken the plea that the petitioner was guilty of misconduct, and as such, his services were dispensed with. In view of this, it becomes essential to record findings with respect to the said plea of the respondent. I have scrutinised the relevant evidence concerning the said plea and am of the view that the same is totally insufficient to justify the termination of the petitioner. The perusal of the said evidence which has been led by the respondent would go to show that vide letter dated 30-5-1992, the respondent i.e. The Block Development Officer, Bhawarna had called for the explanation of the petitioner in which it was alleged that the petitioner had convinced with certain mischievous elements in the 'Bhikha Shah' Fair and had created nuisance and indiscipline. The petitioner had submitted his explanation and had denied the said allegations. After considering the said reply of the petitioner, the respondent had issued letter dated 19-6-1992 vide which the services of the petitioner were terminated w.e.f. 30-6-1992. It would be evident from the said evidence that once allegations were levelled against the petitioner and he had denied the same, it was incumbent upon the respondent to hold enquiry. But, he did not do so. Evidently, the procedure which has been followed by the respondent is unwarranted under the law and is violative of the principles of natural justice. Therefore, in the absence of any enquiry, the order of termination could not have been passed. Thus, on this ground also, the termination of the petitioner is illegal and unjustified.

7. The net result of the aforesaid discussion is that the termination, in question, of the petitioner is illegal and unjustified. As such, I hold that the petitioner had proved this issue. Accordingly, this issue is decided in favour of the petitioner.

#### RELIEF

8. Keeping my findings on the aforesaid issues in view, I hold that the termination of the petitioner is illegal and unjustified and as such, the same is set-aside and the petitioner is ordered to be re-instated with back wages. As such, the reference is decided in favour of the petitioner and the same stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this award

be supplied to each of the parties, free cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal. **B.S. CHOUHAN,**  
Presiding Officer  
Labour Court, Himachal Pradesh,  
Shimla camp Palampur.

In the Court of Shri B.S. Chauhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla.

Reference No: 65 of 1992

Instituted on: 29-8-1992

Decided on: 8-5-1995

Shri Prabhat Samuel .. Petitioner.

Versus

Management of M/s Continental Construction Ltd.  
Lachori, District Chamba .. Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For petitioner: Shri T. R. Bhardwaj, AR.

For respondent: Miss Anjali Mahajan, Advocate.

### AWARD

Through this reference, the State Government has referred the dispute regarding the termination of the services of Shri Prabhat Samuel, hereinafter referred to as 'petitioner', for determination by this Court.

2. The case of the petitioner is that he was employed by M/s Continental Construction Ltd., hereinafter referred to as 'respondent' in Chamera Project on 21-7-1990 and thereafter, he worked continuously till 14-11-1991, on which date his services were terminated without any notice and compensation. Thus, the petitioner has alleged that his termination is illegal and the same be set-aside and he be re-instated with full back wages.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on two grounds. The first ground is that the petitioner was employed on 2-5-1991 and not on 21-7-1990 and subsequently, he had quarrelled with one Shri Ashok Kumar and had abused him. Thus, it is stated that since the work and conduct of the petitioner has not satisfactory, he was discharged from service. Secondly, it is stated that the respondent was not obliged to comply with the provisions of Section 25-F of the Industrial Disputes Act, 1947 while terminating the services of the petitioner because the petitioner had not worked for 240 days within the calendar year preceding the date of his termination. Thus, it is stated that the petitioner is not entitled to any relief.

4. On the aforesaid pleadings of the parties, my learned predecessor had framed the following issues:—

1. Whether the termination of the petitioner by the respondent is legal and justified? OR
2. Whether the reference is not maintainable as alleged? OPR.
3. Relief.

5. I have heard the representatives of the parties and have gone through the relevant record. For the reasons

to be recorded hereinafter, my findings on the aforesaid issues are as under:

### FINDINGS

Issue No. 1:	No.
Issue No. 2:	No.
Relief:	Reference answered in favour of the petitioner.

### REASONS FOR DECISION

6. Issue No. 1. The record of the case would go to show that in order to defeat the claim of the petitioner, the respondent has taken contradictory pleas. The question for determination which has been referred to this Court and is subject matter of the present reference is whether the termination of the petitioner without holding any enquiry with respect to the allegations of misbehaviour which were levelled against him, is legal or not. However, while filing reply, the respondent has taken the stand that the reference is not maintainable because the real controversy has not been referred which relates to termination simpliciter of the petitioner and there has been no allegation of misbehaviour against the petitioner. Not only this, while leading evidence in support of its case the respondent has changed its stand of termination simpliciter and has led evidence to show that the petitioner had misbehaved with one Shri Ashok Kumar and as such, his services were dispensed with. The evidence of the respondent would also go to show that the petitioner had been chargesheeted regarding the allegations aforesaid and he had filed reply to the chargesheet and had denied the allegations. However, it remains a fact that no enquiry was held into the said allegations. In order to justify its stand to the effect that petitioner has rightly been discharged, the respondent has taken the plea that the petitioner was on probation at the time when he was discharged from service. But, the perusal of the contents of Ex. RW-1/B which is a copy of the appointment letter of the petitioner would go to show that there is no mention at all to the effect that petitioner was on probation. Thus, it is clear from the evidence of the respondent that neither the petitioner was on probation nor any enquiry was held before he was discharged from service. Apparently, the procedure which was adopted by the respondent while dispensing with the services of the petitioner, is unwarranted and it violates the principles of natural justice. As such, on this score, the termination of the petitioner is illegal. As regards the other ground with respect to termination simpliciter which has been taken by the respondent in its reply, it may be stated that even on this ground the termination of the petitioner is not justified because the evidence on record would go to show that even prior to 2-5-1991, the petitioner had been working with the respondent. This fact is evident from Ex. CX, which is a copy of order dated 7-5-1992 of Sub-Divisional Magistrate, Dalhousie. The perusal of the contents of this document would go to show that the respondent company had admitted the claim of arrear of wages of the petitioner for the period from 21-7-1990 to 30-4-1991. This admission had been made on the basis of compromise arrived at in between the respondent company and the petitioner and certain other workers. After the said order was passed by the Sub-Divisional Magistrate, Dalhousie, the respondent company had paid the said arrear of wages to the petitioner. Thus, the contention of the respondent company that the petitioner was not its worker prior to 2-5-1991 is belied by the contents of Ex. CX. Therefore the sum and substance of the said evidence is that the petitioner had been working in the respondent company since 21-7-1990 and his services were terminated on 14-11-1991 without any notice or enquiry nor any compliance of the mandatory provisions of Section 25-F of the Industrial Disputes Act, 1947 was made. Evidently, during the period from 21-7-90 to 14-11-91 the petitioner had worked for more than 240 days and as such, he was entitled to the protection of Section 25-F supra. The said section of law provides that no workman, who has completed one year continuous service shall be terminated except



after the expiry of thirty days notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is provided in the said section of law that at the time of termination, such workman shall also be entitled to compensation which shall be equivalent to fifteen days average wages for very completed year of service. Further, Section 25-B of the Industrial Disputes Act, 1947 defines the term 'one year continuous service'. It provides that a workman who has actually worked for 240 days in a calendar year, shall be deemed to have rendered one year continuous service. These provisions of Section 25-F of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal. Admittedly, in the case in hand, the respondent has not complied with the said mandatory provisions of law. The plea of the respondent is that since the petitioner was not its employee before 2-5-1991, he had not worked for 240 days during the calendar year preceding the date of his termination and as such, he was not entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947. Apparently, this plea is belied by the evidence aforesaid because it is quite clear from the evidence of the petitioner that prior to 2-5-1991, he was also worker of the respondent and the respondent had paid him the wage for the period from 21-7-1990 to 2-5-1991. Therefore, on this score also, the termination of the petitioner is not justified in the eye of law.

7. The next result of the aforesaid discussion of the evidence on record is that the respondent has failed to justify that the termination of the petitioner is legal because neither any enquiry was held before terminating the services of the petitioner nor the petitioner was on probation. Similarly, for want of compliance of the mandatory provisions of Section 25-F of the Industrial Disputes Act, 1947, the termination of the petitioner is illegal and unjustified. As such, I hold that the respondent has failed to prove this issue. Accordingly, this issue is decided against the respondent.

8. *Issue No. 2.*—The stand taken by the respondent with respect to the maintainability of the reference has no basis, at all, because the evidence of the respondent itself shows that the real dispute has been referred for determination as the respondent has led evidence to prove that since the petitioner was guilty of misbehaviour his services were dispensed with by way of discharge because he was on probation. Therefore, the plea which has been raised by the respondent with respect to the maintainability of the reference does not hold good. As such, the respondent has failed to prove this issue and this issue is accordingly decided against the respondent.

#### RELIEF

9. Keeping my findings on the aforesaid issues in view, I hold that the termination of the petitioner is illegal and unjustified and as such, the same is set aside and the petitioner is ordered to be re-instated with full back wages. As such, the reference is answered in favour of the petitioner and the same stands disposed of accordingly. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this award be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 8th May, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Complaint No: 8 of 1994

Shri Ram Dev

Versus

... Complainant.

M/s Ranger Breweries Ltd., Mehatpur, District Una,  
Himachal Pradesh

... Respondent.

Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: Shri P. L. Bery, A.R.

For respondent: Shri V.K. Gupta, AR.

#### ORDER

Through this complaint, Shri Ram Dev, hereinafter referred to as 'Complainant' has alleged that his employer, M/S Ranger Breweries Ltd., Mehatpur, hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Helper on 1983 in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant was alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent, has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? OPA.
2. Whether the complaint, in question, is not maintainable, as alleged? OPR.
3. Whether the complainant was not dismissed on 21-1-1994, as alleged? OPR.
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceeding of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent. Factory including the complainant Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workmen, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions of a

workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under Section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 supra during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act, 1947 and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of Law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complaint is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpata in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal.

**B. S. CHOUHAN,**

*Presiding Officer,*

*Labour Court, Himachal Pradesh, Shimla,  
Camp Palampur.*

In the Court of **Shri B. S. Chouhan, Presiding Officer,**  
**Labour Court, Himachal Pradesh, Shimla**

Complainant No. : 13/1994

Instituted on : 28-3-1994

Decided on : 21-4-1995

**Shri Ashwani Kumar**

*..Complainant.*

*Versus*

**M/s Ranger Breweries Ltd., Mehatpur, District Una,  
Himachal Pradesh.**

Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: **Shri P. L. Bery, AR.**

For Respondent: **Shri V. K. Gupta, AR.**

#### ORDER

Through this complaint, **Shri Ashwani Kumar**, hereinafter referred to as 'complainant' has alleged that his employer, **M/s Ranger Breweries Ltd., Mehatpur**, hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Operator in 1981 in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? OPA.
2. Whether the complaint in question is not maintainable, as alleged? OPR.
3. Whether the complainant was not dismissed on 21-1-1994, as alleged? OPR.
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceedings of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent Factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a labour court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workman, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, here is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the

service conditions of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order in question was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 supra during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act, and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the court shall have the same powers under Section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workman which it has while dealing with a reference under Section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947, and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajptra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal B. S. CHOUHAN,  
Presiding Officer,  
Labour Court H. P., Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Complaint No. 12/1994

Instituted on 28-3-1994

Decided on 21-4-1995

Shri Tilak Dhari .. Complainant.

Versus

M/s Ranger Breweries Ltd., Mehatpur, District Una,  
Himachal Pradesh.

#### Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For Complainant: Shri P. L. Bery, AR.  
For Respondent: Shri V. K. Gupta, AR.

#### ORDER

1. Through this complaint, Shri Tilak Dhari, herein after referred to as 'complainant' has alleged that his employer, M/s Ranger Breweries Ltd., Mehatpur, hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as *Helper* in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991 a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? Q.P.A.
2. Whether the complaint, in question, is not maintainable, as alleged? O.P.R.
3. Whether the complainant was not dismissed on 21-1-1995, as alleged? O.P.R.
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief.	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceedings of reference which reference was pending in this Court regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workman concerning such dispute, the conditions of service applicable to them: immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947, itself which provides that an employer may change the service conditions of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which

the complainant and other co-worker have been dismissed was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under Section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 supra during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act, and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under Section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workman which it has while dealing with a reference under Section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issues. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3*—Neither the representatives of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal.

**B. S. CHOUHAN,**  
*Presiding Officer,*  
*Labour Court, H. P., Shimla,*  
*Camp Palampur,*

In the Court of **Shri B. S. Chouhan, Presiding Officer,**  
**Labour Court, Himachal Pradesh, Shimla**

Complaint No: 11 of 1994.

Instituted on : 28-3-1994.

Decided on : 21-4-1995.

**Shri Moti Lal** .. *Complainant.*

*Versus*

**M/s Ranger Breweries Ltd., Mehatur, District Una, (H.P.).**

*Complaint under Section 33-A of the Industrial Disputes Act, 1947.*

For complainant : **Shri P. L. Bery, AR.**  
For Respondent : **Shri V. K. Gupta, AR.**

#### ORDER

Through this complaint, **Shri Moti Lal**, hereinafter referred to as 'complainant' has alleged that his employer, **M/s Ranger Breweries Ltd., Mehatur**, hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as *Helper* in 1980 in the respondent-factory and thereafter, he worked continuously till 18-8-91. on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the Complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed.—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceeding? If so, to what relief the complainant is entitled to? OPA.
2. Whether the complaint, in question, is not maintainable, as alleged? OPR.
3. Whether the complainant was not dismissed on 21-1-1995, as alleged? OPR.
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No: 1.	Yes.
Issue No: 2.	No.
Issue No: 3.	No.
Relief	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceedings of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workman, concerning such disputes, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with

respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent was violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act and submit its award to the appropriate government. Recently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court still have the same powers under Section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workmen which it has while dealing with a reference under Section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant is illegal and the same is not justified. Thus, I hold that, the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complaint is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties

Seal: **B. S. CHOUHAN,**  
*Presiding Officer,*  
*Labour Court, Himachal Pradesh, Shimla,*  
*Camp Palampur.*

In the Court of **Shri B. S. Chouhan, Presiding Officer,**  
**Labour Court, Himachal Pradesh, Shimla**

Complaint No: 10/1994

Instituted on: 28-3-1994

Decided on: 21-4-1995

Shri Mool Raj

*Versus*

..Complainant.

M/s Ranger Breweries Ltd., Mehatpur, District Una,  
(H. P.)

#### Complaint under Section 33-A of the Industrial Disputes Act, 1947

For complainant: Shri P. L. Bery, AR.

For Respondent: Shri V. K. Gupta, AR.

#### ORDER

Through this complaint, Shri Mool Raj, hereinafter referred to as 'complainant' has alleged that his employer, M/s Ranger Breweries Ltd., Mehatpur, hereinafter referred to as respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Operator in 1978 in the respondent factory and thereafter, the worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-7-1991, a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in his Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that, as a result of this dismissal, his Service conditions have been changed in violation of it the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? **OPR.**
2. Whether the complaint, in question, is not maintainable, as alleged? **OPR.**
3. Whether the complainant was not dismissed on 21-1-1995, as alleged? **OPR.**
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1.	Yes
Issue No. 2.	No
Issue No. 3.	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceedings of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workmen, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a



reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time to their dismissal. Not only this, the respondent has also admitted that no approval of this Court as is envisaged under section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act, and submit its award to the appropriate government. Evidently the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under Section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workman which it has while dealing with a reference under Section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos: 2 & 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly the complaint stands disposed of. A copy of this order to be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal,

**B. S. CHOUHAN,**  
*Presiding Officer,*  
*Labour Court, Himachal Pradesh, Shimla*  
*Camp Palampur.*

In the Court of **Shri B. S. Chouhan, Presiding Officer,**  
*Labour Court, Himachal Pradesh, Shimla*

Complaint No. 7 of 1994

**Shri Telu Ram** .. *Complainant.*

*Versus*

**M/s Ranger Breweries Ltd., Mehampur, District Una,**  
**(H.P.)** .. *Respondent.*

Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: **Shri P. L. Bery, AR.**

For respondent: **Shri V. K. Gupta, AR.**

#### ORDER

Through this complaint, **Shri Telu Ram**, hereinafter referred to as 'Complainant' has alleged that his employer **M/s Ranger Breweries Ltd., Mehampur** hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus, violated, the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Supervisor in 1979 in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? **OPA.**
2. Whether the complaint in question, is not maintainable, as alleged? **OPR.**
3. Whether the complainant was not dismissed on 21-1-1994, as alleged? **OPR**
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No.1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceeding of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workman, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change

the service conditions of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under Section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act, 1947 and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to these prove issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN.  
Presiding Officer, Labour Court (H. P.)  
Shimla Camp Palampur.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Complaint No. 9 of 1994.

Shri Sri Krishan .. Complainant.

Versus

M/s Ranger Breweries Ltd., Mehatpur, District Una,  
(H. P.) .. Respondent.

#### Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: Shri P. L. Bery, AR.  
For respondent: Shri V. K. Gupta, AR.

#### ORDER

1. Through this complaint, Shri Sri Krishan, herein-after referred to as 'Complainant' has alleged that his employer, M/s Ranger Breweries Ltd., Mehatpur, herein-after referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Operator in 1980 in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? OPA
2. Whether the complaint, in question, is not maintainable, as alleged? OPR
3. Whether the complainant was not dismissed on 21-1-1994, as alleged? OPR
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceeding of reference which reference was pending in this Court, regarding the demands and suspension of the various workmen of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workmen, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the

service conditions of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication on this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under Section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act, 1947 and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of Law would be as if it is a reference made to the labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 and 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor these is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal. B. S. CHOUHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla,  
Camp Palampur.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Complaint No: 3 of 1994  
Instituted on: 28-3-1994  
Decided on: 21-4-1995

Shri Pyara Singh ... Complainant.  
Versus

M/s Ranger Breweries Ltd., Mehatpur, District Una,  
(H.P.) ... Respondent.

Complaint under Section 33-A of the Industrial Disputes Act, 1-47.

For complainant: Shri P. L. Bery, AR.

For respondent : Shri V. K. Gupta AR,

#### ORDER

Through this complaint, Shri Pyara Singh, hereinafter referred to as 'Complainant' has alleged that his employer, M/s Ranger Breweries Ltd., Mehatpur, hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, 1947 and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Helper in 1989 in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under section 10 of the Industrial Disputes Act 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? OPA.
2. Whether the complaint, in question, is not maintainable, as alleged? OPR.
3. Whether the complainant was not dismissed on 21-1-1994, as alleged? OPR.
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be reinstated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceeding of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workmen, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions of

a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as is envisaged under section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceeding before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act and submit its award to the appropriate Government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal. B. S. CHOUHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla  
Camp Palampur.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Complaint No: 4 of 1994  
Instituted on: 28-3-1994  
Decided on: 21-4-1995

Shri Jasmer Singh, ... Complainant.  
Versus

M/s Ranger Breweries Ltd., Mehatpur, District Una,  
(H. P.) ... Respondent.

Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: Shri P. L. Bery, AR.

For respondent: Shri V. K. Gupta, AR.

#### ORDER

Through this complaint, Shri Jasmer Singh, hereinafter referred to as 'Complainant' has alleged that his employer, M/s Ranger Breweries Ltd., Metatpur, hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Helper on 1980 in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? OPA.
2. Whether the complaint, in question, is not maintainable, as alleged? OPR.
3. Whether the complainant was not dismissed on 21-1-1994, as alleged? OPR.
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceeding of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workmen, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions of a workman with the express permission

in writing of the authority before which the proceedings are pending. It is admitted case of their respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of his Court as is envisaged under section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3.*—Neither the representative of the respondent has pressed these issue during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla,  
Camp Palampur.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla.

Complaint No: 6 of 1994.

Satpal Singh,

.. Complainant.

Versus

M/s Ranger Breweries Ltd., Mehatpur. District Una,  
(H.P.) ... Respondent.

Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: Shri P. L. Bery, AR.

For respondent: Shri V. K. Gupta, AR.

#### ORDER

Through this complaint, Shri Satpal Singh, hereinafter referred to as 'complainant' has alleged that his employer M/s Ranger Breweries Ltd., Mehatpur, hereinafter referred to as 'respondent, has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Operator in 1978 in the respondent-factory and thereafter, the worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1981, a reference under Section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to?  
OPA.
2. Whether the complaint, in question, is not maintainable, as alleged?  
OPR.
3. Whether the complaint was not dismissed on 21-1-1994, as alleged?  
OPR.
4. Relief

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No.1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceedings of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency of any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workmen, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions of a workman with the express permission



in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under Section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act, 1947 and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 & 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal. **B. S. CHOUHAN,**  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla,  
Camp Palampur.

In the Court of Shri B. S. Chauhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Complaint No: 5 of 1994  
Instituted on: 28-3-1994  
Decided on: 21-4-1995.

Shri Bhim Singh

...Complainant.

Versus

M/s Ranger Breweries Ltd., Mehatpur, District Una,  
(H.P.)

...Respondent.

Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: Shri P. L. Bery, AR.

For respondent: Shri V. K. Gupta, AR.

#### ORDER

Through this complaint, Shri Bhim Singh, hereinafter referred to as 'Complainant' has alleged that his employer M/s Ranger Breweries Ltd., Mehatpur, hereinafter referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as Helper in 1981 in the respondent-factory and thereafter, he worked continuously till 18-8-1991, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-1991, a reference under section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been changed in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed:—

1. Whether the management-respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? OPA.
2. Whether the complaint, in question, is not maintainable, as alleged? OPR.
3. Whether the complaint was not dismissed on 21-1-1994, as alleged? OPR.
4. Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

#### FINDINGS

Issue No. 1:	Yes
Issue No. 2:	No
Issue No. 3:	No
Relief:	Complaint allowed and complainant ordered to be re-instated.

#### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceeding of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workmen, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions

of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is not justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

**Issue Nos. 2 & 3.**—Neither the representative of the complainant has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

#### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal.

**B.S. CHOUHAN,**  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla,

In the Court of **Shri B. S. Chouhan, Presiding Officer,**  
Labour Court, Himachal Pradesh, Shimla

Reference No: 34 of 1992.  
Instituted on: 2-12-1992.  
Decided on: 1-5-1995.

Shri Vijay Kumar .. Petitioner.  
Versus

Management of M/s Auto Ancillary Ltd., Parwanoo,  
District Solan .. Respondent.

Reference under Section 36-A of the Industrial Disputes Act, 1947.

For petitioner: Shri B. L. Lakhnappal, AR.

For respondent: Shri V. K. Gupta, AR.

#### AWARD

Through this reference, the state government has referred the dispute regarding the interpretation of award dated 21-1-1985 of this Court, concerning the claim of Shri Vijay Kumar, hereinafter referred to as 'petitioner', in whose favour the said award was passed by Shri S. S. Kanwar, the then Presiding Officer of this Court.

2. The brief facts of the case are that the petitioner was appointed as Operator Trainee by M/s Continental Auto Ancillary Ltd., Parwanoo, which was subsequently, renamed as M/s Eicher Tractors Ltd., Parwanoo hereinafter referred to as 'respondent'. According to the terms of the appointment letter, the petitioner was appointed as trainee for one year. However, after completion of one year training, his work was not found satisfactory and his training period was extended upto 15-12-1981. Even on 15-12-1981, the performance of the petitioner was not found satisfactory and as such, his services were terminated. Subsequently, the petitioner had raised a dispute with regard to his termination and this dispute was referred to this Court for adjudication. Vide award dated 21-1-1985 of this Court, it was held that the termination of the petitioner was illegal and unjustified and as such, he was ordered to be re-instated with effect from 15-12-1981. Not only this, it was also held that the petitioner was entitled to back wages in accordance with the letter of his appointment as Trainee. Further, it was also held that the petitioner was entitled to all service benefits including continuity of service from the date of his appointment. The management had made an abortive attempt to assail this award in the Hon'ble High Court. As such, the award became final. However, during the implementation of the award, a dispute arose with respect to the interpretation of the said award and as such, the State Government has referred the said dispute under Section 36 (A) of the Industrial Disputes Act, 1947 for interpretation with respect to the limit and extent of the benefits to which the petitioner is entitled to on the basis of the award aforesaid.

3. The case of the petitioner is that on the basis of the award dated 21-1-1985, he is entitled to appointment as Operator in W-IV grade w.e.f. 7-10-1985 whereas the management had taken him only as trainee on 7-10-1985 for three months and thereafter, he was appointed as Operator in W-III grade w.e.f. 7-1-1986. On the other hand, the respondent-management has stated that as a result of the said award, the petitioner had been taken as trainee w.e.f. 7-10-1985 in order to assess his suitability and after three months, he had been appointed as Operator on regular basis. Thus, the respondent has stated that the petitioner is not entitled to W-IV grade w.e.f. 7-10-1985. Lastly, the management has stated that the reference, in question, is not maintainable because there is no ambiguity in the award.

4. On the aforesaid pleadings of the parties, following issues were framed:—

- Whether the petitioner Shri Vijay Kumar is entitled to service benefits including back wages equivalent to the ones, which his colleagues, were entitled to, during the period, in question. OPP.
- Whether the reference, in question, is not maintainable, as alleged? OPR.
- Relief.

5. I have heard the representatives of the parties and have gone through the record. For the reasons to be

recorded hereinafter, my findings in the aforesaid issues are as under:—

### FINDINGS

Issue No. 1.	Yes
Issue No. 2.	No
Relief:	Reference answered in favour of the petitioner.

### REASONS FOR DECISION

6. *Issue No. 1.*—The perusal of the contents of award dated 21-1-1985 of this Court, which is under interpretation, would go to show that the work of the petitioner which he had done during the training period had not been correctly assessed and as such, the appraisal report of the management regarding the evaluation of the said work of the petitioner was not found correct. Thus, from the said observations it can safely be inferred that the petitioner had completed the training period satisfactorily. However, in the operative clause of the award aforesaid, it has specifically been mentioned that for the period from 15-12-1981 till the date of re-instatement, the petitioner would be entitled only to the wages which he was getting as a trainee. But at the same time, it has been made clear in the said operative portion of the award that the petitioner would also be entitled to all service benefits including continuity of service from the date of his appointment. Shri V. K. Gupta, representative of the respondent has admitted that in this case, the date of appointment was 15-9-1980 when the petitioner was appointed as a trainee. Under these circumstances, the only correct interpretation of the award which can be made is that the petitioner had completed the training successfully on 15-12-81 and thereafter, he was entitled to appointment as Operator in W-III grade and subsequently, when his co-trainee Shri Netar Lal was appointed as Operator W-IV grade, the petitioner was also entitled to appointment as Operator Grade W-IV. However, by virtue of the specific limitation laid down in the operative portion of the said award, the wages of the petitioner for the period from 15-12-1981 to the date of his joining were confined to the amount of stipend which he was getting during the period of training on the basis of Ex.P-1, which was the letter of his appointment as a trainee. Thus, the petitioner would be treated as Operator W-III *w. e. f.* 15-12-1981 onwards, but, he would not be entitled to wages of W-III and would be paid only stipend which the management has already paid and the petitioner has also not disputed the same. However, *w. e. f.* 7-10-1985, the petitioner would be entitled to regular pay scale of Operator W-IV because his co-trainee Shri Netar Lal had been given the scale of W-IV Operator *w. e. f.* 1-7-1984. Accordingly, I come to the conclusion that the petitioner Shri Vijay Kumar is entitled to back wages and other service benefits to the extent mentioned above, in accordance with the award dated 21-1-1985. As such this issue is decided in favour of the petitioner to the extent mentioned above.

7. *Issue No. 2.*—Shri V. K. Gupta, representative of the respondent has argued that the reference is not maintainable because there is no ambiguity in the award. I have considered the said argument and find that the same does not have any force because the ambiguity has been writ-large in the award, in question, which fact is apparent from the discussion which has been made above, while disposing of issue No. 1. Therefore, I hold that the respondent has failed to prove this issue. Accordingly, this issue is decided against the respondent.

### RELIEF

8. Keeping my findings on the aforesaid issues in view, I hold that the petitioner Shri Vijay Kumar is entitled to appointment as Operator W-III grade *w. e. f.* 15-12-1981, but, he will get the wages of trainee Operator only during the period from 15-12-81 to 6-10-1985. However, *w. e. f.* 7-10-1985, he will be entitled to appointment as Operator W-IV grade with full pay and allowances. The reference is accordingly answered in favour of the petitioner to the extent mentioned above. As such, the reference stands disposed of. A copy

of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its due publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this award be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open court today the 1st May, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,  
Presiding Officer, Labour,  
Court, Himachal Pradesh Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla

Complaint No: 2 of 1994.

Instituted on : 28-3-1994.

Decided on : 21-4-1995.

Shri Subash Kumar.

.. Complainant

Versus

M/s Ranger Breweries Ltd.,

Mehatpur, District Una, H. P.

.. Respondent.

Complaint under Section 33-A of the Industrial Disputes Act, 1947.

For complainant: Shri P. L. Bery, AR.

For respondent : Shri V. K. Gupta, AR.

### ORDER

Through this complaint, Shri Subash Kumar, herein-after referred to as 'Complainant' has alleged that his employer, M/s Ranger Breweries Ltd., Mehatpur, herein-after referred to as 'respondent' has changed his service conditions during the pendency of proceedings under the Industrial Disputes Act, and has thus, violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947.

2. The admitted facts of the case are that the complainant was employed as helper in 1981 in the respondent-factory and thereafter, he worked continuously till 18-8-91, on which date, the complainant was dismissed from service. It is admitted case of the parties that on 13-9-91, a reference under section 10 of the Industrial Disputes Act, 1947 concerning the demands and suspension of the complainant and other similar co-workers was pending in this Court. Further, it is also admitted case of the parties that the dismissal of the complainant was made during the pendency of this reference and no prior permission of this Court was obtained as is envisaged under Section 33 of the Industrial Disputes Act, 1947. Thus, the complainant has alleged that as a result of this dismissal, his service conditions have been change' in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 and as such, he is entitled to re-instatement.

3. On the basis of the pleadings of the parties, following issues were framed :—

- Whether the management respondent has changed the service conditions of the complainant during the pendency of the proceedings? If so, to what relief the complainant is entitled to? OPA.
- Whether the complainant, in question, is not maintainable, as alleged? OPR.
- Whether the complainant was not dismissed on 21-1-1994, as alleged? OPR.
- Relief.

4. I have heard the representatives of the parties and have gone through the relevant record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under :—

### FINDINGS

Issue No : 1. Yes.

Issue No : 2. No.

Issue No : 3. No.

Relief : Complaint allowed and complainant ordered to be re-instated.

### REASONS FOR DECISION

5. *Issue No. 1.*—There is no denying the fact that the complainant has been dismissed from service during the pendency of the proceedings of reference which reference was pending in this Court, regarding the demands and suspension of the various workers of the respondent factory including the complainant. Section 33 of the Industrial Disputes Act, 1947 provides that during the pendency any proceedings before a Labour Court in regard to any matter connected with the dispute, no employer shall alter, to the prejudice of the workman, concerning such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings. However, there is an exception to the said provision which is mentioned in Section 33 of the Industrial Disputes Act, 1947 itself which provides that an employer may change the service conditions of a workman with the express permission in writing of the authority before which the proceedings are pending. It is admitted case of the respondent that a reference concerning the demands of the workers including the complainant and also with respect to their suspension as a result of which the complainant and other co-workers have been dismissed, was pending adjudication in this Court at the time of their dismissal. Not only this, the respondent has also admitted that no approval of this Court as envisaged under section 33 of the Industrial Disputes Act, 1947 was obtained before the dismissal order, in question, was passed. Therefore, it becomes quite clear from the admitted facts aforesaid that the respondent has violated the express and mandatory provisions of Section 33 of the Industrial Disputes Act, 1947. Further, Section 33-A of the Industrial Disputes Act, 1947 provides that where an employer contravenes the provisions of Section 33 *supra* during the pendency of the proceedings before a Labour Court, the aggrieved workman may make a complaint in writing to the Labour Court and the Labour Court shall adjudicate such complaint as if it were a dispute referred to it in accordance with the provisions of the Industrial Disputes Act and submit its award to the appropriate government. Evidently, the language of Section 33-A of the Industrial Disputes Act, 1947 makes it clear that the adjudication of a complaint under the said section of law would be as if it is a reference made to the Labour Court. This being so, the Court shall have the same powers under section 33-A of the Industrial Disputes Act, 1947 while granting the relief to the aggrieved workman which it has while dealing with a reference under section 10 of the Industrial Disputes Act, 1947. Therefore, I come to the conclusion that the respondent has violated the mandatory provisions of Section 33 of the Industrial Disputes Act, 1947 and has changed the service conditions of the complainant and this being so, the dismissal of the complainant is illegal and the same is justified. Thus, I hold that the complainant has proved this issue. Accordingly, this issue is decided in favour of the complainant.

6. *Issue Nos. 2 and 3.*—Neither the representative of the respondent has pressed these issues during the course of arguments nor there is any material on record in support of these issues. As such, I hold that the respondent has failed to prove these issues. Accordingly, both these issues are decided against the respondent.

### RELIEF

7. Keeping my findings on the aforesaid issues in view, the complaint is allowed. Accordingly, I hold that the dismissal order of the complainant is illegal and as such, the complainant is ordered to be re-instated with back wages. Accordingly, the complaint stands disposed of. A copy of this order be sent to the Government of Himachal Pradesh, Shimla for its publication in the H.P. Rajpatra in accordance with law. A copy of this order be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after completion.

Announced in the Open Court today the 21st April, 1995 in the presence of the parties.

Seal.

B. S. CHAUHAN,  
Presiding Officer,  
Labour Court, Himachal Pradesh, Shimla.

विद्युत विभाग

ग्रहियुक्त

शिमला-2, 19 जुलाई, 1995

संख्या विद्युत-क(5)17/94.—प्र. राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य विद्युत परिषद जो कि भूमि अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी 0 सी 0) के अधिनियम सरकार के स्वामित्व और नियंत्रण के अधीन एक निगम है के द्वारा अपने अधिनियम प्रयोजन नामतः 132 के 0 वी 0 क्वार्टर सेंट संचार लाईन (संगत) से हमीरपुर एवं गणु कला के निर्माण हेतु तहसील हमीरपुर में भूमि वसति करनी प्रयोजित है, अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विवरणों में निर्दिष्ट भूमि उपरोक्त प्रयोजन के लिए अधिनियमित है।

2. भूमि अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों के लिए घोषित किया जाता है तथा उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन स-अर्जन, न-न-हर्जा, हिमाचल प्रदेश राज्य विद्युत परिषद, मण्डली को एतद्वारा उक्त भूमि के अधिनियम के लिए अधिनियमित होने का एतद्वारा निदेश दिया जाता है।

3. भूमि का रेखांकन, स-अर्जन, न-न-हर्जा, हिमाचल प्रदेश राज्य विद्युत परिषद मण्डली के ताम्रपत्र में निरोक्षण किया जा सकता है।

दिनांक

जिना : हमीरपुर

तहसील : हमीरपुर

गांव	खसरा नं०	क्षेत्र	
		कनाल	मरले
1	2	3	4
बहार कपोटी	409/1	0	9
"	341/1	0	2
"	392/1	0	2
"	391/1	0	3
"	342/1	0	3
कनहरी	738/1	0	3
"	739/1	0	3
"	788/1	0	4
"	796/1	0	3
"	795/1	0	2
"	542/1	0	2
"	543/1	0	5
"	458/1	0	11
अमनैड	1338/1	0	2
"	1347/1	0	7
घरनाली	964/601/1	0	7

1	2	3	4
गारुशियां	950/1	0	5
धरोग	224/2/1	0	7
"	124/1	0	7
पड़ोटा	141/1	0	7
"	142/1	0	2
गुलेभा	34/1	0	5
"	32/1	0	4
समरवाल	51/1	0	7
"	31/1	0	9
धलोढ	459/416/1	0	4
"	460/416/1	0	4
"	415/1	0	9
पंजाहली	480/1	0	7
मणु कला/बजुरी	224/1	0	9
"	152/1	0	3
"	154/1	0	2
"	260/1	0	1
"	261/1	0	6
मिला	34	8	4 2

जवा जी रामपुर गढ़वा सड़क के निर्माण हेतु गांव रासपुर-11 में भू-प्रार्जन अधिनियम, 1894 की धारा-4 के अन्तर्गत जारी की गई है में खसरा नम्बर 499/1 रकबा 0-9 जो छूट गया था को शामिल किया जाता है तथा खसरा नम्बर 496/1 के सामने प्रीति रकबा 0-9 के स्थान पर 6-11 पड़ा जाए।

शिमला-2, 7 जून, 1995

संख्या लॉ 110 (ख) 7 (1) 134/94.—इस विभाग द्वारा जारी समसंख्यक अधिसूचना दिनांक 3-4-95 जो कि मण्डी कहरवाल सड़क के निर्माण हेतु गांव टिल्ली, कठलग बायर और दनवाड़ी में भू-प्रार्जन अधिनियम, 1894 की धारा 4 के अन्तर्गत जारी की गई है में गांव टिल्ली में खसरा नं० 765/1 के स्थान पर 365/1, 567/1 के स्थान पर 507/1, गांव दनवाड़ी में खसरा नं० 178/1 के स्थान पर 171/1 तथा 1073/173/1 के स्थान पर 1072/173/1 तथा गांव कठलग में खसरा नं० 648 रकबा तादादी 6-13-15 बीघा के स्थान पर 0-13-18 बीघा पड़ा जावे।

आदेश द्वारा,  
पी० एस० राणा,  
सचिव

## NOTIFICATIONS

Shimla-2, the 9th June, 1995

No. PBW-B-A (1)-1/95.—The Governor, Himachal Pradesh is pleased to order the promotion of Shri S.C. Chopra, Executive Engineer (Mech.), H.P. P.W.D. and IPH State Workshop, Nahan as Superintending Engineer (Mech.) purely on *ad hoc* basis in the pay scale of Rs. 4500—6100 in the public interest till further order.

It is also made clear that *ad hoc* promotion will not confer any right of seniority or regular appointment to him.

The Government also reserve the right to cancel his promotion and revert him to the previous post from which he has been promoted.

These order will take effect from the date he will assume his duties as Superintending Engineer.

The Governor, Himachal Pradesh, is further pleased to post him as Superintending Engineer in PWD and IPH State Workshop, Nahan in public interest. The officer shall submit his charge report to this department.

Shimla-2, the 12th June, 1995

No. PBW (A) B (6)-3/95.—The Governor, Himachal Pradesh is pleased to order the transfer/posting of the following Executive Engineers of H.P. P.W.D. in public interest with immediate effect :—

Sl No.	Name of EE	From	To
1.	Sh. Balbir Singh Kaushal.	EE, PW Division, Haripardhar.	EE (D) NH, PW, HQ Shimla vice Sh. Y.R. Sharma.
2.	Sh. Y.R. Sharma	EE (D), NH, PDW HQ Shimla	EE PW Division, Haripardhar vice Sh. B. S. Kaushal.

The above officers will submit their charge reports of relinquishment and assumption of charge to this Department immediately.

Shimla-2, the 17th June, 1995

No. PBW-1-A (1) 10/93.—The Governor, Himachal Pradesh is pleased to retire Shri Tirath Ram Sharma, Law Officer. H.P. P.W.D. Shimla from the Government service w.e.f. 30-6-1995 (A.N.) on attaining the age of superannuation.

आदेशानुसार,

ए० के० गोस्वामी,  
वित्तियक एव सचिव।

## PUBLIC WORKS DEPARTMENT

### NOTIFICATIONS

Shimla-2, the 16th May, 1995

No. PBW (A)-A(1)21/93.—In partial modification of this Department notification of even number dated 20-2-1995, the Governor, Himachal Pradesh is pleased to order that pending formal creation of Electrical Sub Division, H.P.P.W.D., Nurpur, the present staff of the old Electrical Sub Division, Nurpur is allowed to continue at Nurpur in public interest.

The Governor, Himachal Pradesh is further pleased to order that the Assistant Engineer (Electrical), Sub Division, H.P.P.W.D., Dehra shall look after the work of the above staff posted at Nurpur, in addition to his own duties.

Shimla-2, the 23rd May, 1995

No. PBW-A(A) B (9)-3/94.—In partial modification of this Department notification of even number, dated 26-8-94, The Governor, Himachal Pradesh is pleased to allow the grant of an additional increment by way of proficiency increment as Executive Engineer to Shri P.C. Gupta, Superintending Engineer w.e.f. 2-2-87 instead of 2-6-86.

Shimla-2, the 31st May, 1995

No. PBW-C-B-6(1)/94-Part.—The Governor, Himachal Pradesh is pleased to transfer Shri Dalat Ram Mangal, Assistant Engineer, H. P., P.W.D. o/o the Executive Engineer, H. P. P.W.D. Division, Kumarsain to H. P., P.W.D. Sub-Division Takleeh (Rampur) against vacant post in the public interest with immediate effect.

The officer will submit his joining report to this Department immediately.

By order,

Sd/-

Commissioner-cum-Secretary.

गुडपत्र

शिमला-2, 7 जून, 1995

सं० पी० वी० डब्ल्यू० (बी. एड. मर.) (बी) 7 (1) 132/92.—इस विभाग द्वारा जारी समसंख्यक अधिसूचना दिनांक 3-10-94 जो



Shimla-2, the 20th June, 1995

Department immediately.

No. PBW (A) B (6)-3/95.—The Governor, Himachal Pradesh is pleased to order the transfer/posting of the following Executive Engineers of H.P. P.W.D in public interest with immediate effect:—

Sl. No.	Name of EE	From	To
1.	Sh. Satish Sagar	EE (Design), PW HQ, Shimla.	EE PW Division, Pangi at Killar vice Sh. Dev Raj Chaudhary.
2.	Sh. Dev Raj Chaudhary,	EE, H.P.P.W.D, Divn. Pangi.	EE (D), PW HQ, Shimla vice Sh. Satish Sagar.

The above officers will submit their charge reports of relinquishment and assumption of charge to this

Shimla-2, the 27th June, 1995

No. PBW (A) B(6)-7/95.—The Governor, Himachal Pradesh is pleased to order the transfer/posting of the following Superintending Engineers of PWD in public interest with immediate effect:—

Sl. No.	Name of SE	From	To
1.	Sh. B. S. Azad	SE (D-III), H.P. P.W.D. HQ, Shimla	SE on deputation with HP, KVV, Palampur vice Sh. L. C. Gupta.
2.	Sh. L. C. Gupta	SE on deputation with HP, KVV, Palampur.	On repatriation from HP, KVV, Palampur, SE (Works), H.P.P.W.D, Dharamshala vice Sh. U. N. Sharma.
3.	Sh. U. N. Sharma	SE (Works), H.P.P.W.D, Dharamshala	SE H.P.P.W.D. 7th Circle, Dalhousie vice Sh. P. C. Gupta.
4.	Sh. P.C. Gupta	SE, H.P.P.W.D, 7th Circle, Dalhousie	SE on deputation with Nagar Vikas Pradhikaran, Shimla vice Sh. R. K. Nayar.
5.	Sh. R. K. Nayar	SE on deputation with NVP, Shimla	On repatriation from Nagar Vikas Pradhikaran, SE (D-III), H.P.P.W.D. HQ, Shimla vice Sh. B. S. Azad.

The above officers will submit their charge reports of relinquishment and assumption of charge to this Department immediately.

The Terms and Conditions of deputation of S/Sh. B. S. Azad and P. C. Gupta, SE are being issued separately.

Shimla-2, the 28th June, 1995

No. PBW (A) B(6)-3/95.—The Governor, Himachal Pradesh is pleased to order the transfer/posting of Shri D. D. Gautam, Executive Engineer, H.P.P.W.D. Division, Kasauli as Executive Engineer (Design),

H.P.P.W.D. 4th Circle, Shimla against vacancy with immediate effect in public interest.

The officer will submit his charge reports of relinquishment and assumption of charge to this Department immediately.

Shimla-2 the 5th July, 1995

No. PBW (A) B (6)-3/95.—The Governor, Himachal Pradesh is pleased to order the transfer and posting of the following Executive Engineers (Civil) of PWD in public interest with immediate effect:—

Sl. No.	Name of E.E.	From	To
1.	Sh. B. D. Joshi	EE, PWD Division, Una	EE, PWD Division, Kasauli against vacant post
2.	Sh. D. R. Chaudhary	EE, under transfer from Pangi to HQ, Shimla.	EE, PWD Divn., Una vice Sh. B. D. Joshi
3.	Sh. S. L. Gupta	EE, PWD, Divn, Jawali	EE (D), PWD 5th Circle, Palampur vice Sh. R. C. Sharma.
4.	Sh. R. C. Sharma	EE (D), PWD Circle, Palampur	EE, on deputation H.P.K.V.V., Palampur.
5.	Sh. R. S. Chaudhry	EE on deputation, H.P.K.V.V., Palampur.	On repatriation from H.P.K.V.V., Palampur, EE, PWD Divn. Jawali vice Sh. S. L. Gupta.
6.	Sh. V. K. Bhandari	EE, PWD Divn., Chamba	EET & CP Deptt. Parwanoo against vacant post.

Sl. No.	Name of E. E.	From	To
7.	Sh. S. K. Bhardwaj	EE, PWD Divn., Bharmour	EE, PWD Divn. Chamba <i>vice</i> Sh. V. K. Bhandari.
8	Sh Suresh Kumar	EE, on deputation with REC, Hamirpur.	On repatriation from REC, Hamirpur, EE PWD Divn., Bharmour <i>vice</i> Sh. S.K. Bhardwaj.
9.	Sh. N. K. Sharma	EE, PWD Divn., Hamirpur	EE on deputation with REC, Hamirpur <i>vice</i> Sh. Suresh Kumar.
10.	Sh. R. C. Gupta	EE, PWD Divn., Jubbāl	EE, PWD Divn., Hamirpur <i>vice</i> Sh. N. K. Sharma.
11.	Sh. S. K. Kanwal	EE (D), PWD Circle, Bilaspur	EE, PWD Divn., Jubbāl <i>vice</i> Sh. R. C. Gupta.
12.	Sh. R. P. Kapil	EE (D), PWD Circle, Hamirpur	EE (D), PWD Circle, Bilaspur <i>vice</i> Sh. S. K. Kanwal.
13.	Sh. Vijay Pal	EE (D), PWD Circle, Rampur	EE (D), PWD H.Q., Shimla <i>against</i> vacant post.
14.	Sh. B. S. Parmar	EE, PWD Divn. No. I, Kullu	EE (D), PWD Circle, Rampur <i>vice</i> Sh. Vijay Pal.
15.	Sh. K. K. Kashyap	EE, RID, Shimla	EE, PWD Divn. No. I, Kullu <i>vice</i> Sh. B. S. Parmar.
16.	Sh. R. C. Gupta	EE, PWD Divn., Salooni	EE (D) PWD Circle, Dalhousie <i>vice</i> Sh. M. L. Soni.
17.	Sh. M. L. Soni	EE (D), PWD Circle, Dalhousie	EE, PWD, Divn., Salooni <i>vice</i> Sh. S. C. Gupta.
18.	Sh. K. R. Singh	EE PWD Divn., Fatehpur	EE, PWD Divn. Kangra <i>vice</i> Sh. R. K. Sharma
19.	Sh. R. K. Sharma	EE, PWD Divn., Kangra	EE, PWD Divn. Fatehpur <i>vice</i> Sh. K. R. Singh.

The above officers will submit their charge reports of relinquishment of charge and assumption of charge to this Department immediately. If any officer proceeds on leave, to avoid being relieved, he shall be deemed to have been relieved from the said date.

The terms and conditions of deputation of S/Sh. R. C. Sharma and N. K. Sharma are being issued separately.

Shimla-2, the 5th July, 1995

public interest with immediate effect.

No. PBW-2-B (6) 8/91.—The Governor, Himachal Pradesh, is pleased to transfer Shri Teja Singh, Executive Engineer (Mech.), Mechanical Division, Kullu and post him in Mech. Division, Bilaspur against vacant post, in

2. The Executive Engineer (Mech.), Mech. Division Dharamshala shall hold additional charge of the post of Executive Engineer (Mech.), Kullu till further orders.

Shimla-2, the 5th July, 1995

No. PBW-2-B (6) 8/91.—The Governor, Himachal Pradesh is pleased to order the posting/transfer of the following Assistant Engineers (Mech.) of Himachal Pradesh Public Works Department in public interest with immediate effect :—

Sl. No.	Name of the Officer	From	To
S/Sh.			
1.	Prem Singh Thakur	Store Sub Divi., Sanjauli, Shimla	Mech. Sub Division, Bilaspur <i>against</i> vacant post.
2.	P. R. Chechi	Mech. Sub Division, Kaza	Mech. Store Sub Division, Sanjauli <i>vice</i> Sh. P. S. Thakur.
3.	R. S. Pathania	Mech. Sub Division, Chamba	A.E., Mech. Sub Division Kaza <i>vice</i> Sh. P. R. Chechi.
4.	Anil Kumar	Mech. Sub Division No. 1, Dharamshala.	A.E. Mech. Sub Division Chamba <i>vice</i> Sh. Pathania.
5.	Bhoginder Kumar	Mech. Sub Division, Nurpur	A.E. Mech. Sub Division No. I Dharamshala <i>vice</i> Sh. Anil Kumar.
6.	D. S. Mandyal	Mech. Sub Division, Kangra (under order of posting in Mech. Sub Division, Bilaspur).	A.E. Mech. Sub Division Nurpur, <i>vice</i> Sh. Bhoginder Kumar.
7.	Davesh Kumar	Mech. Sub Division Kumarsain	E. O. Mech. Circle Dhalli-cum-OSD (Rope-ways) vacant post.

Sl. No.	Name of Officer	From	To
8.	T. D. Gupta	Mech. Sub Division No. II, Dhalli	A.E. Mech. Sub Division Kumarsain vice Sh. Devesh Kumar.

The above Officers will submit their charge reports of relinquishment of charge and assumption of charge to this Department immediately. If the officers proceed on leave to avoid being relieved, they shall be deemed to have been relieved from such dates.

Shimla-2, the 5th July, 1995

No. PBW-C-B-6 (1)/95.—The Governor, Himachal Pradesh is pleased to order the transfer/postings of following Assistant Engineer, with immediate effect, in public interest:—

Sl. No.	Name of the Asstt. Engineer	From	To
1.	Sh. O. P. Sharma	B&R S/D No. VII, Shimla.	A.E. (Design), H.Q. (South), Shimla against vacant post.

Sl. No.	Name of Asstt. Engineer	From	To
2.	Sh. B. C. Gupta	Nagar Vikas Pradhikaran, Shimla.	B&R, S/D No. VII, Shimla vice Sh. O. P. Sharma.

The Governor, Himachal Pradesh is further pleased to order the cancellation of transfer orders of S/Sh. N.K. Gupta and B. D. Gupta, Assistant Engineers ordered vide notification of even No. dated 5-7-95 with immediate effect, in public interest.

The above officers will submit their charge reports of relinquishment of charge and assumption of charge to this Department immediately. If any officer proceeds on leave to avoid being relieved, he shall be deemed to have been relieved from the said date.

Shimla-2, the 5th July, 1995

No. PBW-C-B-6 (1)/95.—The Governor, Himachal Pradesh is pleased to order the transfers/postings/adjustments of following Assistant Engineers (Civil) in the Public Works Department, with immediate effect in the public interest:—

Name of Assistant Engineer	From	To
S/Shri:		
1. Nekk Chand Ahir	AE (Design) H.Q., Dharamshala	A.E. (Development), Chamba against vacancy
2. Devi Chand	B&R Sub Division, Shahpur	A. E. (Design), 5th Circle, Palampur against likely vacancy occurring on 31-7-95 due to retirement of present incumbent.
3. Kehar Singh	B&R S/D Gaggal	B&R S/D Shahpur vice Sh. Devi Chand
4. U. R. Saini	B&R S/D, Lunj	B&R S/D Gaggal vice Sh. Kehar Singh
5. Yashpal Singh Sambyal	AE (D) H.Q. Dharamshala	B&R S/D Lunj vice Sh. U. R. Saini
6. P. C. Katoch	B&R S/D Bhawarna	AE (Design), H.Q., Dharamshala vice Sh. Yashpal Singh Sambyal.
7. R. C. Minhas	AE (Design), H.Q., Dharamshala	B&R S/D, Bhawarna vice Sh. P. C. Katoch.
8. A.K. Sood	B&R S/D Nagrota Surian	AE (Design), H.Q., Dharamshala vice Sh. R.G. Minhas.
9. Girish Jham	B&R S/D No. 1, Paonta	B&R S/D Nagrota-Surian vice Sh. A. K. Sood.
10. Shyam Lal Panwar	B & R S/D, Barthi (Bilaspur)	B&R S/D No. I, Paonta vice Sh. Girish Jham.
11. H. C. Bhardwaj	AE (Design), H. Q., Shimla	B&R S/D Barthi (Bilaspur) vice Sh. Shyam Lal Panwar.
12. M. S. Sandhu	B&R S/D No. III, Kullu	AE to EE, PW Division, Solan against vacant post.
13. K. R. Sandhu	U/T to Shimla Division No. 1	B&R S/D No. III, Kullu vice Sh. M. S. Sandhu.
14. N. K. Kapila	B&R S/D No. II, Rampur	B&R S/D Bharwani against vacant post
15. C. L. Gupta	AE (Design), 11th Circle, Rampur	B&R S/D No. II, Rampur vice Sh. N. K. Kapila.
16. Jai Kharan	Shimla Division No. II	HRTC, Dharamshala on deputation, for a period of one year.
17. K. C. Gupta	Town and Country Planning Deptt. Parwanoo.	E. O., 12th Circle, Nahan against vacant post.
18. R. N. Singla	B&R S/D Sarahan, Distt. Shimla	Assistant Engineer, Town and Country Planning, Parwanoo vice Sh. K. C. Gupta.

Name of Assistant Engineer S/Shri:	From	To
19. T. D. Chauhan	B&R S/D Sarahan, Distt. Shimla	B&R S/D No. 5, Shimla vice Sh. R. N. Singla.
20. Rakesh Gupta	AE (Design), H.Q., Shimla	B&R S/D, Sarahan vice Sh. T.D. Chauhan
21. Ved Prakash Aggarwal	AE to EE B&R Division, Rajgarh.	B&R S/D Kupvi (Chopal) against vacant post.
22. O. P. Jain	AE (Design), H.Q., Shimla	Dr. Y.S. Parmar University of Horticulture & Forestry, Nauni (Solan) on deputation for a period of one year.
23. R. K. Kainth	B&R S/D Bharari (Bilaspur)	AE (Design) H.Q., (South) HPPWD, Shimla vice Sh. O. P. Jain.
24. Anant Ram Verma	Under order of posting to H. P. Cooperative Bank, Shimla.	B&R S/D Bharari vice Sh. R. K. Kainth.
25. Diwan Chand Nagpal	Mandi Division No. 2, as A.E. to E.E.	Palampur Division vice Sh. J. C. Mahant as A.E. to E.E.
26. J. C. Mahant	Palampur Division	Mandi Division No. 2 vice Sh. Diwan Chand Nagpal as A.E. to E.E.
27. R. N. Malpa	B & R S/D Keylong	Store Sub Division, Shamshi vice Sh. K. K. Malhotra.
28. K. K. Malhotra	Store S/D, Shamshi Distt. Kullu	B&R S/D Keylong vice Sh. R. N. Malpa.
29. Major Singh	Nagar Vikas Pradhikaran, Shimla	E.O. 2nd Circle, HPPWD, Shimla against vacant post.
30. D. R. Mangal	A.E. to E.E. Kumarsain Divn.	B&R S/D Matiana against vacant post
31. Harnam Singh Kondal	B & R S/D Pooh	B&R S/D No. 2, Hamirpur vice Shri Subhash Sharma.
32. Subhash Sharma	B & R S/D No. 2, Hamirpur	B&R S/D Pooh vice Sh. Harnam Singh Kondal.
33. B. N. Lohia	AE (Development), Una	AE (Design), 9th Circle, HPPWD, Nurpur against vacant post.
34. S. S. Kutlehria	AE (Design), 11th Circle, HPPWD, Rampur.	AE (Development), Una vice Sh. B. N. Lohia.
35. J. P. Malhotra	B & R S/D Rewalsar.	A.E. to E.E. Mandi, Division No. 1 vice Sh. N. K. Malhotra.
36. N. K. Malhotra	AE to EE Mandi, Division No. I	B&R S/D Rewalsar vice Sh. J. P. Malhotra.
37. N. K. Gupta	Medical College S/D No. 3, Shimla.	AE (Design), H.Q. HPPWD, Shimla against vacant post.
38. B. D. Gupta	AE to EE Medical College Division, Shimla.	Medical College S/D No. 3, vice Sh. N. K. Gupta.
39. B. L. Khanna	U/T to Paonta Division	A.E. to E.E. B&R Division, Rajgarh vice Sh. Ved Prakash Aggarwal.

The above Officers will submit their charge report of relinquishment of charge and assumption of charge to this Department immediately. If any Officer proceeds on leave, to avoid being relieved, he shall be deemed to have been relieved from the said date.

No TTA/joining time will be admissible to the Officers mentioned at Sl. No. 25 and 26.

The terms and conditions of deputation of Sh. Jai Karan and Sh. O. P. Jain are being issued separately.

By order,

P. S. RANA,  
Commissioner-cum-Secretary.

## मुख्य पत्र

के समक्ष आनी आपत्ति दाखर कर सक्ता है ।

शिमला-2, 11 जुलाई, 1995

\*गांव बग्याह, तहसील घुमारवीं, जिला बिलासपुर में मलाह-ममलाह सड़क के निर्माण हेतु ।

संख्या लो० नि० (ख) 7 (1) 154/95.

शिमला-2, 28 जुलाई, 1995.

सं० लो० नि० (ख) 7 (1) 108/92. —इस विभाग द्वारा जारी समसंख्यक अधिसूचना दिनांक 4-5-95 जो प्लासी त्रिफालघाट सड़क निर्माण हेतु गांव कोट में भू-अर्जन अधिनियम, 1894 की धारा-6 व 7 के अन्तर्गत जारी की गई है में खसरा नं० 257 के सामने रफ्वा तादादी 0.00.34 के स्थान पर 0.02.34 हैक्टेयर तथा अधिसूचना के कालम नं० 5 में क्षेत्र बांघा बिस्वा के स्थान पर हैक्टेयर पड़ा जावे ।

जिला : बिलासपुर		तहसील : घुमारवीं	
गांव		क्षेत्र बांघे बिस्वे	
1	2	3	4
बग्याह	84/7	10	18
	86/10	0	03
	21	5	01
	34	5	17
	38	3	10
	39	3	05
	42	6	02
	43	3	07
किता ..	8	38	03

शिमला-2, 18 जुलाई, 1995

संख्या पी० बी० डब्ल्यू० लो० ए० (7) 1-108/92. —इस विभाग द्वारा जारी सम संख्यक अधिसूचना दिनांक 8-5-95 जो प्लासी त्रिफालघाट सड़क निर्माण हेतु गांव टिकरी में भू-अर्जन अधिनियम, 1894 की धारा 6 व 7 के अन्तर्गत जारी की है में खसरा नं० 481/1 के सामने रफ्वा तादादी 0.00.59 हैक्टेयर के स्थान पर रफ्वा 0.02.59 हैक्टेयर पड़ा जावे ।

\*गांव समलाह, तहसील घुमारवीं, जिला बिलासपुर, में मलाह-ममलाह सड़क के निर्माण हेतु ।

संख्या लो० नि० (ख) 7 (1) 155/95.

शिमला-2, 28 जुलाई, 1995.

समलाह			
140	5	16	
141	5	19	
144	7	05	
147	5	10	
148	1	04	
150	1	08	
151	0	16	
152	3	15	
153	7	12	
किता ..	9	39	05

## अधिसूचनाएं

यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः\* भूमि अर्जित करनी अपेक्षित है, अतः एव एतद्द्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त\* प्रयोजन के लिए भूमि का अर्जन अपेक्षित है ।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हों सक्ते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है ।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं ।

4. कोई भी हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन करने पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने की तीस (30) दिन की अवधि के भीतर लिखित रूप से भू-अर्जन समाहर्ता, लोक निर्माण विभाग, शिमला-3

तहसील : नैनादेवी

\*गांव टांवा संगवाणा, तहसील नैनादेवी, जिला बिलासपुर में टांवा-संगवाणा श्री नैनादेवी जी सड़क के निर्माण हेतु ।

संख्या लो० नि० (ख) 7 (1) 143/95.

शिमला-2, 28 जुलाई, 1995.

टांवा संगवाणा			
3	1	14	
4	153	11	
209/15	601	01	
212/196	21	15	
221/66	9	12	
67	3	07	
68	0	14	
200/69	2	09	
70	8	13	
71	0	05	
72	7	10	
94	17	16	
99	0	01	
किता ..	13	828	08

आदेश द्वारा,

पी० एस० राणा,  
सचिव (लोक निर्माण)।



भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिता मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि।

उद्योग विभाग  
(भौमिकीय शाखा)

उद्योग विभाग  
(भौमिकीय शाखा)

नीलामी सूचना

नीलामी सूचना

शिमला-171002, 2 अगस्त, 1994

शिमला-171002, 2 अगस्त, 1994

सं० उद्योग-भू (खनि०-४) नो०-३४०९.—“सर्वे साधारण को सूचित किया जाता है कि जिला शिमला की लघु खनिज खानों की नीलामी खण्ड विकास अधिकारी मसोबरा जिला शिमला के कार्यालय में दिनांक 21-9-95 को प्रातः 11.00 बजे को जायेगी। इच्छुक व्यक्ति खानों के पूर्ण विवरण/शर्तें तथा खानों सम्बन्धी अन्य जानकारी के लिये खनिज अधिकारी शिमला से सम्पर्क करें।”

सं० उद्योग भू (खनि०-३) नो०-३७९७.—“सर्वे साधारण को सूचित किया जाता है कि जिला सोलन की लघु खनिज खानों की नीलामी खनि अधिकारी सोलन के कार्यालय में दिनांक 6-9-95 को प्रातः 11.00 बजे की जायेगी। इच्छुक व्यक्ति खानों के पूर्ण विवरण/शर्तें तथा खानों सम्बन्धी अन्य जानकारी के लिये खनि अधिकारी, सोलन से सम्पर्क करें।”

हस्ताक्षरित/-  
निदेशक उद्योग।

हस्ताक्षरित/-  
निदेशक उद्योग।

भाग 3—प्रशिक्षण, विधेयक और विधेयकों पर प्रवर समिति के प्रारोपित वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाईनेन्सियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि।

—शून्य—

भाग 4—स्थानीय स्वायत्त शासन, म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग।

### HIMACHAL PRADESH MARKETING BOARD NALAGARH HOUSE, SHIMLA-5.

#### NOTIFICATIONS

Shimla-5, the 22nd June, 1995

No. HMB/6-24/95-III.—In exercise of the powers conferred under Sub-Clause (2 & 3) of Clause-10 of the H. P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H. P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee, Shimla and Kinnaur.

#### SCHEDULE

Name of the Market Committee 1	Producer member 2	Dealer members 3	Official members 4
Market Committee Shimla and Kinnaur	1. Shri Daulat Ram Negi, V. and P. O. Nichar, District Kinnaur, H. P.	1. Shri Amrit Lal, C/o M/s Amrit Lal Jiwan Ram, Rampur, District Shimla.	Deputy Commissioner, Shimla District.
	2. Shri Bhimi Ram, Village Gandheri (Banoola), Teh. Sunj, District Shimla.	2. Shri Krishan Chandel, Chopal, District Shimla.	
	3. Shri Rangit Singh, Village Shathla, P. O. Virgaish, District Shimla.	3. Shri Bhag Chand Dass Negi, Karyana and Vegetable Shop- keeper, Nichar, District Kinnaur.	
	4. Shri Sadh Ram, Ex-MLA, V. & P. O. Kelvi, District Shimla, H. P.	4. Shri Amar Nath, C/o Kishori Lal Jagat Ram, Subzi Mandi, Shimla.	
	5. Shri Vijay Singh, r/o Village Kuhai P.O. Deolbi, Tehsil Rampur, District Shimla.	5. Shri Kanwar Singh Kawat, V. & P.O. Kathael, Tehsil Jubbal, District Shimla.	
	6. Shri Partap Singh, r/o Village Nandla, P.O. Jangla, Tehsil Chirgaon, District Shimla.	6. Shri Dharam Chand Kuthiala, Dhalli Bazaar, Shimla-12.	
	7. Shri Shiv Raj Negi, V. & P O. Kirgal-Balti, Tehsil Kumarsain, District Shimla, H. P.		
	8. Shri Thakur Dass, Village Kathnechi, P. O. Baichari, Tehsil and District Shimla.		
	9. Shri Ram Bhagat, Village Khangta, P.O. Tikkar (Rohru), District Shimla.		

Shimla-5, the 22nd June, 1995

No. HMB/6-24/95-III. —In exercise of the powers conferred under sub-clause (2 & 3) of clause-10 of the H.P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H.P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee, Hamirpur.

SCHEDULE

Name of the Market Committee 1	Producer members 2	Dealer members 3	Official members 4
Market Committee Hamirpur.	1. Capt. Jaimal Singh, Pradhan, Village Jhulani, P.O. Dai ka- Naun, Tehsil and District Hamirpur.	1. Shri Suresh Dogra, M/s Suresh Kumar & sons, Hamirpur.	Deputy Commissioner, Hamirpur.
	2. Shri Jugal Kishore, Pradhan G.P. Aghar, Village Nahlin, P. O. Aghar, District Hamirpur.	2. Shri Ramesh Awasthi, M/s Matharu Ram & sons, Hamirpur.	
	3. Shri Vijay Gupta, Gupta Niwas, Ward No. 5, Hamirpur.	3. Shri Chanier Shekhar, M/s Amar Nath Chandershekhar V. & P. O. Kangoo, Tehsil Nadaun, District Hamirpur.	
	4. Shri R. C. Verma, V. & P.O. Jahu, Tehsil Bhoranj, District Hamirpur.	4. Shri Parshotam Dass, M/s Sonu Ram Prashotam Dass, Jayana, Tehsil Nadaun, District Hamirpur.	
	5. Shri Mohan Lall, Pradhan G. P. Fastey, V. & P. O. Bara, Tehsil Nadaun, District Hamirpur.	5. Shri Rattan Chand, M/s Dile Ram Rattan Chand, Chandruhi, Tehsil Bhoranj, District Hamirpur.	
	6. Shri Hans Raj Syol, Pradhan G. P. Naunghi, P. O. Booni, Tehsil Nadaun, District Hamirpur.	6. Bhalkhu Ram, M/s Bhalkhu Ram & sons V.P.O. Kalanjari, District Hamirpur.	
	7. Shri Avtar Singh, Pradhan, G.P. Bela, Tehsil Nadaun, District Hamirpur.		
	8. Shri Ishwar Dass Koundal Pradhan, G.P. Bhumpal, P.O. Sudhil, Tehsil Nadaun, Distt. Hamirpur.		
	9. Smt. Arvinder Kaur, W/o Shri Manjit Singh, V. & P.O. Mehra, Tehsil Barsar, District Hamirpur.		

Shimla-5, the 24th June, 1995

No. HMB/6-24/95-III-1377. —In exercise of the powers conferred under sub-clause (2,3) of clause-10 of the H.P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H.P. Marketing Board appoint the following persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee. Una.

SCHEDULE

Name of the Market Committee 1	Producer members 2	Dealer members 3	Official members 4
Market Committee, Una.	1. Shri Santa Singh, V.P.O. Tatehra, Tehsil Amb, Distt. Una.	1. Shri Rattan Chand Puri, Shopkeeper, V.P.O. Gag- ret, Tehsil Amb, District Una.	Deputy Commissioner, Una.
	2. Shri Balwant Singh, V.P.O. Amboya, Tehsil Amb, Dis- trict Una.	2. Shri Sham Lal Puri, s/o Shri Ram Asra Mal, V.P.O. Santokhgarh, Tehsil and District Una.	
	3. Shri Multan Singh, V.P.O. Gondpur Bantehra, Tehsil Amb, District Una.	3. Shri Jagdish Ram s/o Shri Watan Chand Khad, Santokhgarh, District Una.	

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| <p>4. Shri Paras Ram, V. P. O. Daulatpur, District Una.</p> <p>5. Shri Watan Singh (Retd.) D.F.O., Bangana, District Una.</p> <p>6. Shri Ranjeet Singh, V.P.O. Spauri, Tehsil Amb, Distt. Una.</p> <p>7. Shri Rattan Chand, Village Gathoon, P. O. Rapoh-Misra, Tehsil Amb, District Una.</p> <p>8. Smt. Nirmal Rana, Member Panchayat, V. P. O. Upper Kotla, Tehsil &amp; Distt. Una.</p> <p>9. Shri Surinder Lal Sharma, Ex-Chairman, V.P.O. Gondpur-Banehra, District Una.</p> | <p>4. Shri Kishan Chand, s/o Shri Relu Ram, Subzi Mandi, Una.</p> <p>5. Shri Chaman Dass, M/s Shivalik Fruit Co. Subzi Mandi, Una, District Una.</p> <p>6. Shri Radhe Mohan Saini, s/o Shri (late) Mansha Ram, Old Bus-Stand Una.</p> |
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Shimla-171005, the 27th June, 1995

No. HMB/6-24/95-111-1471 - In exercise of the powers conferred under Sub-Clause (2 & 3) of Clause-10 of the H. P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H. P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee, Kangra.

#### SCHEDULE

Name of the Market Committee 1	Producer members 2	Dealer members 3	Official member 4
Market Committee Kangra.	<p>1. Shri Ran Singh s/o Shri Dodo Ram, V. &amp; P. O. Ambela, Tehsil Jawali, District Kangra.</p> <p>2. Shri Rashpal Singh Thakur, s/o Shri Wajar Singh, Village Wagraur, P.O. Jawali, District Kangra.</p> <p>3. Shri Jagmohan Singh, s/o Shri Bhawani Singh, Village Bahlukhar-Bhadpur, Tehsil Indora, District Kangra.</p> <p>4. Shri Madho Ram s/o Shri Lakshman Dass, Village Ujain, P. O. Kangra, District Kangra.</p> <p>5. Shri Kishori Lal, s/o Shri Praba Ram, V.&amp;P.O. Gamroo, Tehsil Dharamshala, District Kangra.</p> <p>6. Capt. M. S. Pathania, s/o Sh. Piar Singh, Village Paroh, P. O. Panchrukhi, Tehsil Palampur, District Kangra.</p> <p>7. Shri Basu Dev Nag, V. P. O. Shahpur, Tehsil and District Kangra.</p> <p>8. Shri Sansar Chand, Pradhan, G. P. Badhal Thore, Tehsil Dehra, District Kangra.</p> <p>9. Shri Harish Guleri, s/o Shri Nandi Singh, Village Ranjore, P. O. Jawalamukhi Road, Tehsil and District Kangra.</p>	<p>1. Shri Krishan Chand Slouria, V. P. O. Kangra, District Kangra.</p> <p>2. Shri Sanjeev Kumar, M/s Mahajan Fruit Co. Sabzi Mandi, Palampur.</p> <p>3. Shri Hari Dass Kalotra, s/o Shri Ishwar Singh, Village Sirat, P. O. Motli, Tehsil Indora, District Kangra.</p> <p>4. Shri Dev Raj s/o Shri Bhagat Ram Bankhandi, Tehsil Dehra, District Kangra.</p> <p>5. Shri Mohan Lal, s/o Shri Faquir Chand, V.P.O. Jassore, Tehsil Nurpur, District Kangra.</p> <p>6. Shri Nagender Pal, s/o Shri Harpal Dass, of M/s Shankar Fruit Co., Sabzi Mandi, Kangra.</p>	Deputy Commissioner Kangra at Dharamshala.

Shimla-171005, the 27th June, 1995

No. HMB/6-24/95-III-1418. In exercise of the powers conferred under Sub-Clause (2 & 3) of Clause-10 of the H.P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H.P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee, Kullu.

SCHEDULE

Name of the Market Committee 1	Producer members 2	Dealer members 3	Official member 4
Market Committee Kullu.	1. Shri Chander Kiran Prarthi, V. & P.O. Nagar, Tehsil and District Kullu. 2. Shri Prem Chand s/o Shri Kishan Chand, V. and P.O. Jagatsukh, Tehsil and District Kullu. 3. Shri Om Parkash Sharma, Village Tipari, P.O. Jarl, Tehsil and District Kullu. 4. Shri Ranbir Singh Rashpa, V. & P.O. Gushal, District Lahaul-Spiti, H.P. 5. Shri Pritam Singh Wazir, V. & P.O. Bhuini, Tehsil Nirmand, District Kullu. 6. Shri Raghbir Singh, Village Bargul, P.O. Gushal, Distt. Lahaul-Spiti, H.P. 7. Shri Brahm Swaroop Thakur, V. & P.O. Butthi Colony, District Kullu. 8. Shri Partap Singh Advocate, Village Mahoot, P.O. Khun, Tehsil Ani, District Kullu. 9. Shri Jagdish Parshad, Sarwari Bazar, Kullu.	1. The Chairman, Lahaul Potato Growers Society, Manali, Tehsil and District Kullu. 2. Shri Sukh Dev, s/o Shri Ram Chand, Village Gourdhor, P.O. Lagan Kelo, Tehsil and District Kullu. 3. Shri Om Parkash, V. & P.O. Banjar, Tehsil Banjar, District Kullu, H.P. 4. Shri Labhaya Ram, Sub-Market Yard, Bhuntar, Tehsil and District Kullu. 5. Shri Mukund Lal Gupta, V. and P.O. Nirmand, Tehsil Nirmand, District Kullu. 6. Shri Hari Singh Thakur (HST) Manali, Tehsil and District Kullu.	Deputy Commissioner, Kullu.

Shimla-5, the 27th June, 1995

No. HMB/6-24/95-III. -In exercise of the powers conferred under Sub-Clause (2 & 3) of Clause-10 of the H. P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H.P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee, Mandi.

SCHEDULE

Name of the Market Committee 1	Producer members 2	Dealer members 3	Official member 4
Market Committee Mandi.	1. Shri Dina Nath Bhandari, Village Takoli, P.O. Panarsa, Tehsil Aut, District Mandi. 2. Shri Kali Dass, V. & P. O. Gumna, Tehsil Jogindernagar, District Mandi. 3. Shri Kanhaiya Lal Sharma, V. P.O. Nerchowk, District Mandi, H.P. 4. Capt. Bachittar Singh V.P.O. Lad-Bharol, Tehsil Jogindernagar, District Mandi.	1. Shri Krishan Pal, M/s Ganesh Fruit Co. Nagawin, Tehsil Sadar, Distt. Mandi. 2. Shri Narendra Gupta, C/o M/s Gupta General Store, Sarkaghat District Mandi. 3. Shri Bhagwant Singh, Karyana Merchant, Gohar, District Mandi. 4. Shri Shankar Dass, s/o Shri Sant Ram, Vill. Kumi, Tehsil Sadar, Distt. Mandi.	Deputy Commissioner, Mandi.

2	3	4
5. Shri Kundan Singh Thakur, Sohla-Muhalla, Tehsil Sadar, District Mandi.	5. Shri Devi Ram, C/o Mohan Industries Dhamotu, P. O. Mahavev, Tehsil Sundernagar, District Mandi.	
6. Shri Thakur Dass Sharma, Village Prossi, Sub-Tehsil Niri, District Mandi.	6. Shri Sohan Singh Kapil, V. P. O. Dehra, Tehsil Sundernagar, Distt. Mandi.	
7. Shri Jagar Nath, Village Chhatar, P. O. Brang, Tehsil Sarkaghat, District Mandi.		
8. Shri Mani Ram Pradhan, G. P. Bhangrota, Tehsil Sadar, District Mandi.		
9. Shri Sangra Singh, s/o Shri Buddha Ram, V. & P. O. Sari, Tehsil Sarkaghat District Mandi.		

*Shimla-5, the 27th June, 1995*

No HMB/6-24 95-III-1575.--In exercise of the powers conferred under Sub-Clause (2 & 3) of Clause-10 of the Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H.P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee, Paonta-Sahib.

**SCHEDULE**

Name of the Market Committee 1	Producer members 2	Dealer members 3	Official member 4
Market Committee Paonta-Sahib.	1. Shri Dev Raj, V. & P.O. Sarahan, Tehsil Pachhad, District Sirmour. 2. Shri Nitya Nand Sewal, V. & P.O. Naina-Tikka, Tehsil Pachhad, District Sirmour. 3. Shri Durga Singh, V. & P.O. Kotli, Tehsil Rajgarh, District Sirmour. 4. Shri Tula Ram Sharma, Village Moriyar, P.O. Jamta Teh. Nahan, District Sirmour. 5. Shri Joginder Singh, Village Ludhiana, P. O. Andheri, Teh. Renuka Ji, District Sirmour. 6. Shri Mittar Singh Tomar, Renuka Medical Store, V. & P.O. Dadahu, District Sirmour. 7. Shri M. S. Negi, Village Choila, P. O. Bali, Tehsil Shillai, District Sirmour. 8. Shri Balbir Singh Thakur, Village Bharapur, P. O. Dhaulakuan, Tehsil Paonta, District Sirmour, H.P. 9. Shri Partap Singh Pradhan, G.P. Kiari, P.O. Kolanwala Bhood, Tehsil Nahan, District Sirmour.	1. Shri Kailash Chand Gurnughat, Nahan, District Sirmour. 2. Shri Jai Parkash Sharma, V.P.O. Amboya, Tehsil Paonta, District Sirmour. 3. Shri Jeewan Singh, s/o Shri Rattan Singh, of M/s Citizen Poultry Farm, Paonta-Sahib. 4. Shri Ajit Singh, s/o Shri Hargobind Singh, of M/s Him Oil and General Mill, Bhupar District Sirmour. 5. Shri Jaipal Garg, s/o Shri Sohan Lal, M/s Garg Traders Dadahu, District Sirmour. 6. Shri Rajesh Kumar Aggarwal, s/o Shri Mohan Lal Aggarwal, M/s Rajesh Kumar Aggarwal, V.&P.O. Dadahu, District Sirmour, H. P.	Deputy Commissioner, Sirmour at Nahan.



Shimla-5, the 28th June, 1995

No. HMB/6-24/95-III-1710. —In exercise of the powers conferred under Sub-Clause (2 & 3) of Clause-10 of the H. P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H. P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule below as members of the Market Committee, Solan.

### SCHEDULE

Name of the Market Committee, 1	Producer members 2	Dealer members 3	Official member 4
Market Committee Solan.	1. Shri Hira Lal s/o Shri Lekh Ram, V.P.O. Chakhar, Tehsil Arki, District Solan.	1. Shri Raunki Ram Gupta, M/s Subhash Store, Indira Anaj Mandi, Nalagarh, Distt. Solan.	Deputy Commissioner Solan.
	2. Shri Ram Asra, Pradhan, G.P. Krishan Pura, Nala- garh, District Solan.	2. Shri Ramesh Kumar, M/s Kesho Ram Chandermani, Nalagarh, District Solan.	
	3. Shri Mohan Singh Thakur, r/o Darlaghat, Tehsil Arki, District Solan.	3. Shri Surinder Kumar, M/s Ganesh Trading Co. Sector-1, Parwanoo, District Solan.	
	4. Kanwar Ishwari Singh, Palace Road, Solan.	4. Shri Kanshi Ram s/o Shri Jiwan Ram, Village Piplughat, Tehsil Arki, District Solan.	
	5. Shri Harminder Thakur, Pradhan, G.P. Kandaghat, District Solan.	5. Shri Inder Dutt Gupta, M/s Gupta Store, Jagjitnagar, Tehsil Kasauli, District Solan.	
	6. Shri Narinder Thakur, Village Dedgrat, P.O. Kandaghat.	6. Shri Prem Sagar, M/s Garg Flour Mills, Kumarhatti, Distt. Solan.	
	7. Shri Sardar Singh Thakur, C/o Sharda Farm, Chambaghat.		
	8. Shri Avtar Singh. V. & P. O. Khera, Tehsil Nalagarh, District Solan.		
	9. Shri Ramesh Kumar, Salihari, Kandaghat, District Solan.		

Shimla-5, the 28th June, 1995

No. HMB/6-24/95-III. —In exercise of the powers conferred under Sub-Clause (2 & 3) of Clause-10 of the H.P. Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the H.P. Marketing Board appoint persons mentioned in column 2, 3 and 4 of the schedule, below as members of the Market Committee, Bilaspur.

### SCHEDULE

Name of the Market Committee 1	Producer members 2	Dealer members 3	Official member 4
Market Committee, Bilaspur.	1. Shri Shankar Dass, s/o Shri Talsa Ram, V. P. O. Namhol, Tehsil Sadar, District Bilaspur.	1. Shri Nawaj Mohammad, prop. M/s New Himalaya Fruit and Vegetable Co., Bilaspur.	Deputy Commissioner, Bilaspur.
	2. Shri Bindi Dass, Pradhan, G. P. Tambol, Sub-Tehsil Shri Naina Devi Ji, District Bilaspur.	2. M/s Masat Ram Mahajan. V. & P.O. Jajwin, Tehsil Ghu- marwin, District Bilaspur.	
	3. Shri Rattan Lal Soni, Village Thandoda, P. O. Lajauta, Tehsil Ghumarwin, District Bilaspur, H.P.	3. Chairman, The Govind Sagar Fisheries Co-op. Fed. M & S Ltd., Bilaspur.	
	4. Shri Nand Lal Pathania, V.P.O. Saloon, Tehsil Ghu- marwin, District Bilaspur.	4. Shri Husan Chand, s/o Shri Munnu Ram, Village Ile- wal, P. O. Tarsoo, Sub-Tehsil Shri Naina Devi Ji, District Bilaspur.	

1	2	3	4
	5. Shri Onkar Singh Chandel, V. & P.O. Jhandutta, Tehsil Ghumarwin, District Bilaspur.	5. Shri Prem Lal, Prop. M/s Sachu Ram & sons, V. & P.O. Beri Rajadian, Tehsil Sadar, District Bilaspur.	
	6. Shri Arjun Dev s/o Shri Vijay Ram, Village Jhabola, Tehsil Ghumarwin, Distt. Bilaspur.	6. Shri Bij Lal Thakur, Prop. M/s Thakur Trading Co., Swarghat, District Bilaspur.	
	7. Shri Shriram, Village Kuthera, P.O. Kuthera, Tehsil Ghumarwin, District Bilaspur.		
	8. Shri Bamber Thakur, V. P.O. Amerpur, Tehsil Sadar, District Bilaspur.		
	9. Shri Chuni Lal Sharma, Pradhan, G. P. Nanewan, Tehsil Sadar, District Bilaspur.		

By order,

K. LALL I.A.S.,  
Chairman.

## भाग 5—व्यक्तिगत अधिसूचनाएं और विज्ञापन

न्यायालय सहायक समाहर्ता द्वितीय श्रेणी सिहुन्ता, जिला चम्बा,  
हि० प्र०Subhash Chand s/o Late Shri Laxmi Dass son of  
Madho Dass, Ward No. 1, Municipal Committee Area,  
Hamirpur (H.P.).  
.. Applicant.खीरो राम पुत्र निहाल साकिन सियूण, परगना रायपुर उप तहसील  
सिहुन्ता, जिला चम्बा (हि० प्र०) .. फीकें अध्वल ।

Versus

बनाम

1. भगत राव पुत्र दूली साकिन सियूण, परगना रायपुर, उप-  
तहसील सिहुन्ता, जिला चम्बा (हि० प्र०), 2. जमीनो पुत्र सोहन  
साकिन सियूण, परगना रायपुर, उप-तहसील सिहुन्ता, जिला चम्बा,  
3. श्रीमती धनी बिष्टा कर्दा साकिन सियूण, परगना रायपुर उप-  
तहसील सिहुन्ता, जिला चम्बा .. फीकेंदोयम ।

1. General Public.

2. Smt. Usha Rani wife of Shri Dharampal Sarin  
r/o Sarin Radio Service Kangra near old Bus  
Stand Kangra, Tehsil & District Kangra, Himachal  
Pradesh.3. Smt. Rohani Sachdeva wife of Shri J. K. Sachdeva,  
r/o L-43, Housing Board Colony Dharmsala,  
District Kangra, Himachal Pradesh.

.. Respondents.

अनुवान मुद्दमा

दस्तावेज क्रमांक भूमि खाता खतौली नम्बर 39/44 खसरा नम्बर  
533 तादादी 7-11 बोधा वाक्का मुहाल सियूण, उप-तहसील सिहुन्ता  
जिला चम्बा ।उपरोक्त मुद्दमा अनुवान बाला मे चमन सिंह (जमीनो फीकें  
दोयम मृतक के जायज वारीस) को अधोहस्ताक्षरी के न्यायालय में  
मुद्दमा तासीम की बरबी हेतु कई बार समनात जारी किए गये।  
परन्तु उक्त चमन सिंह फीकेंदोयम पर तामीन समन माघारण तरीका  
से न हो पाई।अतः इस इशतहार द्वारा चमन सिंह फीकेंदोयम उक्त को सूचित  
किया जाता है कि वह दिनांक 31-8-95 को प्रातः 10.00 बजे  
अदालत या वकालत अदालत हजा में हाजिर भावे, अन्यथा एक  
तरफा कार्यवाही क्रम में लाई जावेगी।आज दिनांक 18-7-95 को मेरे हस्ताक्षर व मोहर अदालत द्वारा  
जारी हुआ ।

माहर ।

हस्ताक्षरित/-

सहायक समाहर्ता द्वितीय श्रेणी,  
सिहुन्ता ।In the Court of Sh. J. L. Gupta, Senior Sub-Judge,  
Hamirpur (H.P.)Succession Act Petition ... 17/95.  
Date of Institution ... 1-7-1995.  
Next date of hearing ... 4-9-1995.Whereas in the above noted case, the petitioner have  
filed an application for the grant of Succession Cer-  
tificate U/S 372 of Indian Succession Act in respect of  
deposit of late Shri Laxmi Dass s/o Shri Madho Dass,  
r/o village Brahmi, Tappa Matti Morian, Tehsil and  
District Hamirpur (H.P.).Hence this proclamation is hereby issued to the General  
Public of *Illaqas* to file objections, if any, to the Grant of  
such certificate in this Court on or before 4-9-1995 at  
10.00 A.M. personally or through an authorised agent, or  
pleader failing which the certificate as sought to be issued  
should be granted *ex parte* in favour of the petitioner.Given under my hand and the seal of the Court today  
the 3rd July, 1995.

Seal.

J. L. GUPTA,  
Senior Sub-Judge, Hamirpur (H.P.).In the Court of Shri J. L. Gupta, Senior Sub-Judge,  
Hamirpur, (H. P.)

Succession Act Petition No. ... 21/95

Date of Institution ... 1-7-95

Next date of hearing ... 5-9-95

1. Smt. Suman Kumari wd/o late Vijay Kumar, r/o  
village and Post Office Bara, Tehsil Naduan,  
District Hamirpur, (H. P.).

2. Pankaj minor (son).

3. Miss Renuka minors d/o of Sh. Vijay Kumar, minor, through next friend their mother Smt. Suman Kumari petitioner No. 1.
4. Peeri Devi mother of Late Shri Vijay Kumar r/o Village & Post Office Bara, Tehsil Nadaun, District Hamirpur (H. P.) .. Petitioners.

Vs.

General Public

Respondent.

Application U/S 372 of the Indian Succession Act for issuance of Succession Certificate.

To

The General Public.

Whereas in the above noted case, the petitioners have filed an application for the grant of Succession Certificate U/S 372 of Indian Succession Act in respect of the deposits of late Shri Vijay Kumar son of Ishwar Dass r/o Bara, Post Office Bara, Tehsil Nadaun, District Hamirpur, Himachal Pradesh.

Hence this proclamation is hereby issued to the General Public of Illaqua to file objections, if any, to the grant of such certificate in this Court on or before 5-9-95 at 10 A.M. personally or through an authorised agent of pleader failing which the certificate as sought to be issued should be granted *ex parte* in favour of the petitioners.

Given under my hand and the Seal of the Court today the 3rd July, 1995.

Seal.

J. L. GUPTA.

Senior Sub-Judge, Hamirpur, (H.P.)

In the court of Shri Pritam Singh, Sub Judge 1st Class (I), Hamirpur (H.P.)

Civil Suit No. 286/92

Basant Ram Versus State of H. P. etc.

Versus

1. Sushila, Kumari Talwar d/o Kamali Devi d/o Sukh Ram r/o Chandpur, Tehsil Sadar, District Bilaspur.

2. Suman Kumari, d/o Kamla Devi d/o Subh Ram r/o Deseru upper, P.O. Bharari, Ghat, District Solan (H.P.) ..Defendant.

Whereas in the above noted suit it has been proved to the satisfaction of this court that the above named defendants can not be served through ordinary process. Hence this publication u/o 5, Rule 20, CPC is hereby issued against the said defendants to appear in this court on 23-8-1995 at 10-00 A.M. personally or through an authorised agent or pleader failing which the matter will be heard and decided *ex parte*.

Given under my hand and the seal of the court this 4th day of July, 1995.

PRITAM SINGH,  
Sub Judge 1st Class (I),  
Hamirpur (H.P.)

व अदातत श्री अरुण भारद्वाज, सहायक समाहर्ता, प्रथम श्रेणी नादौन, जिला हमीरपुर, हिमाचल प्रदेश

मिसल नम्बर 13/95 तारीख मरजुमा 17-2-95

श्रीमती रंजना देवी जौन तिलक राज, वासी बाग मौजा हथोल, तहसील नादौन, जिला हमीरपुर, हिमाचल प्रदेश .. फरीक अम्बल ।

बनाम

श्री सुरेश कुमार, सुभाष चन्द, राज कुमार, अशोक कुमार, विसमन देविन्द्र पृथ दसौघा व कुन्ता देवी बेवा तिलक राज पृथ वन्सी, व मला बती बेवा वन्सी खाल, तनवाभीगण बाग, मौजा हथोल, तहसील नादौन, जिला हमीरपुर हिमाचल प्रदेश .. प्रत्यार्षीगण ।

विषय: दरखास्त तकसीम इश्तहार u/r-5 Order 20 C.P.C. वाजत तकसीम रंजना देवी बनाम मुद्देग आदि ।

सायना श्रीमती रंजना देवी ने एक दरखास्त तकसीम वाजत खेवट नं० 6, खतीनी नं० 7 व 8 खमरान हाथ 294,326, 357, 421, 480, 256, 264, 319, 405, 410, 411, 481 किता 12, रंवा 0-64-33 हैक्टियर (16 बंगाल 15 सरले) मुद्रना जमबन्दी-1992-93 बाक्या टीका बाग तप्पा हथोल, तहसील नादौन, जिला हमीरपुर ने दिनां 17-2-1995 को प्रस्तुत की है । जिस में प्रत्यार्षीगण का प्राची के साथ मुख्यतः मालिकान दज गजान्त माल है । प्रतिवादीगण को साधारण रूप से समन का बार-2 जारी किये गये । परन्तु प्रतिवादीगण को तामील जिला कारण न होने पाई गई । अतः समन को तामील जे घारा 5 आर्डर 20 सी० पी० सी० के तहत जरूरी हो गई और इश्तहार राजपत्र जारी करने के आदेश पारित किये गये । अतः प्रत्यार्षीगण को वज्रिया इश्तहार सूचित किया जाता है कि अगर उन्हें प्राची का खाली अलग करने में कोई एतराज हो तो वे दिनां 1-9-1995 को सुबह 10 बजे हाजिर अर्दालत आकर अपनी आपत्ति प्रस्तुत कर सकते हैं । अन्यथा कार्यवाही एक तरफा अमल में लाई जावेगी ।

आज दिनांक 18-7-95 को हमारे हस्ताक्षर व मोहर अर्दालत में जारी हुआ ।

मोहर ।

अरुण भारद्वाज,

सहायक समाहर्ता प्रथम श्रेणी,

नादौन, जिला हमीरपुर,

हिमाचल प्रदेश ।

In the Court of Shri J. C. Sood, Sub-Judge 1st Class (I) Dharamshala, camp at Kangra (H.P.)

In case Civil Suit No. 451/93/88, titled as Smt. Daya Wanti Vs. Pawani Kumari and others.

Versus

1. Smt. Pawan Kumari wd/o Sohan Lal s/o Jeet Ram, Caste Brahman of Bhawan Kanana, Tehsil and District Kangra at present Constable Police Deptt. Chandigarh, c/o Senior Superintendent of Police Chandigarh, (2) Kusari Santosh, (3) Kumari Meena s/o Sohan Lal s/o Jeet Ram, Caste Brahman r/o of Bhawan Kanana Tehsil and District Kangra, (4) Kumari Seeman d/o Sohan Lal s/o Jeet Ram, Caste Brahman of Bhawan Kanana, Tehsil A District Kangra, through Smt. Pawan Kumari defendant No. 1 her Guardian.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above named defendants cannot be served in the ordinary course of service as they are evading the service of summons issued against them.

Hence this proclamation under order 5 rule 20 C.P.C. is hereby issued against them to appear in this court on 16-10-1995 at 10-00 A.M. personally or through an authorised agent or pleader to defend the case, failing which will be proceeded *ex parte*.

Given under my hand and seal of this court on the 21st day of July, 1995.

Seal.

J. C. SOOD.

Sub-Judge 1st Class (I).

Dharamshala Camp at Kangra (H.P.).

ब अदालत श्री नेत्र सिंह जलवाचन, तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

मुद्दमा तकसोम: तरलोक नाथ बनाम कृष्ण चन्द

मुद्दमा नम्बर: तारीख पेशा: 23-5-1995

(1) तरलोक नाथ, (2) प्रताप चन्द, (3) संसार चन्द, (4) अमी चन्द, (5) कुलदीप चन्द पुत्रान, (6) श्रीमती गोदा देवी, पुत्री, (7) श्रीमती रमला देवी विधवा श्री दयाल सिंह पुत्र श्री गुरमन, निवासी महाल मातेहड़, मीजा बनूरी, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश, (8) श्री सन्तोष कुमार पुत्री श्री मीता राम (9) श्रीमती सुमन मिश्रा पत्नी श्री देव राज मिश्रा, निवासी हिमाचल प्रदेश, हाऊसिंग बोर्ड कालोनी, होस्टल तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

बनाम

(1) कृष्ण चंद पुत्र श्री गोरख, (2) सुदर्शना देवी, (3) शारदा कुमारी, (4) श्रीमती सेज कुमार उपनाम कुमारी सीमा, (5) श्रीमती बिनता कुमारी, (6) श्रीमती अकृन्तला देवी, (7) निशा कुमारी पुत्रीया श्री गोरख, (8) श्रीमती मुडडी देवी विधवा श्री गोरख पुत्र श्री तंगा, निवासी महाल मातेहड़ मीजा बनूरी, तहसील पालमपुर, जिला कांगड़ा हिमाचल प्रदेश, (9) श्री प्रेम चन्द पुत्र, (10) मेहर चन्द, (11) श्रीमती माया देवी पुत्री, (12) श्रीमती कला देवी विधवा श्री गिरधारी लाल पुत्र श्री पंजक, निवासी महाल, मातेहड़, मीजा बनूरी, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश।

ब मुद्दमा, तकसोम अराजी खाता नं० 41, खतोनी नम्बरान 93, 94, 95, 96, 97, खसरा नम्बरान 94, 99, 100, 127, 128, 155, 175, 109, 110, 360, 102, 103, 131, 158, 159, 174, 176, 93, 98, 98, 134, 137, 148, किता 22, रकबा तादादी 1-92-84 हेक्टर बाक्या महाल मातेहड़ मीजा बनूरी, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश।

उपरोक्त मुद्दमा में फरीकदोषम को कई बार समन जारी किए गये हैं परन्तु फरीकदोषम की तामील साधारण तरीका से न हो रही है। और समन लेने से टाल मटोल कर रहे हैं। जिससे इस न्यायालय को पूर्ण विश्वास हो चुका है कि फरीकदोषम को तामील साधारण तरीका से न हो सकती है। इसलिए फरीकदोषम को इस इशतहार द्वारा सूचित किया जाता है कि वह दिनांक 2-9-1995 को प्रातः 10 बजे अदालत या अदालत न हाजर अदालत आकर पैरवी मुद्दमा करें। अन्यथा फरीकदोषम को खिलाफ एक तरफा कार्यवाही अमल में लाई जायेगी।

आज दिनांक 6-7-1995 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

नेत्र सिंह जलवाचन,  
तहसीलदार, सहायक समाहर्ता प्रथम श्रेणी,  
पालमपुर जिला कांगड़ा  
हिमाचल प्रदेश।

ब अदालत जनाब नेत्र सिंह जलवाचन तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

मुद्दमा संख्या 8/93

मुद्दमा तकसोम अनिल कुमार बनाम कमला

ब मुद्दमा तकसोम भूमि खाता नम्बर 16 खतोनी नम्बर 32, 33, 34, 35, खसरा नम्बर 13, 14, रकबा 1-51-28 हेक्टर खसरा नम्बर 5, 6, 15, रकबा 1-52-37 हेक्टर, खसरा नं० 8, 9, 19, 21, रकबा 2-04-70 हेक्टर खसरा नं० 28, रकबा 0-09-29 हेक्टर किता 10 रकबा तादादी 5-17-64 हेक्टर स्थित महाल कसौटी मीजा देहण तह० पालमपुर।

(1) अनिल कुमार, (2) अनूप कुमार, (3) कुन्ता देवी विधवा प्रताप चन्द, (4) मंजय कुमार पुत्र प्रकाश, (5) अमृत देवी

विधवा पुन्ना लाल, (6) संयोगता देवी, (7) संजिता पुन्ना जे सिंह, (8) श्रीम प्रकाश पुत्र बसन्त लाल, (9) बीना देवी पत्नी वृज ममो बासी महाल कसौटी, मीजा देहण तह० पालमपुर।

बनाम

(1) कमला देवी पुत्री जय सिंह, (2) गोवर्धन जाल जय सिंह, टाईपिस्ट, मेन बाजार हमोरपुर, (3) अशोक कुमार मुप्ता, (4) अरुण कुमार, (5) विनय कुमार पुत्रान ब विधवा लीला देवी पुत्री जे सिंह, (6) किशोरी लाल, (7) सागर चन्द पुत्रान कृष्ण, (8) कपल राम पुत्र कृष्ण, (9) राम लाल पुत्र कपल, बासी महाल, बगिहवार तह० पालमपुर, जिला कांगड़ा।

उपरोक्त प्रतिवादीगण को बजरिया नोटिस द्वारा इतलाह दी गई, कि वह उपरोक्त मुद्दमा की पैरवी के लिए हाजर अदालत आवें, मगर समन हजा ही तामील साधारण तरीका से न हो सकी। अतः बजरिया इशतहार द्वारा उपरोक्त प्रतिवादीगण को सूचित किया जाता है कि वह दिनांक 2-9-1995 को प्रातः 10 बजे हमारे अदालत में अदालत या अदालत न हाजर आकर मुद्दमा की पैरवी करें। अन्यथा हाजर न आने की सूत्र में एकरफा कार्यवाही अमल में लाई जायेगी।

नोटः—यह इशतहार हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

नेत्र सिंह जलवाचन,  
तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी,  
पालमपुर, जिला कांगड़ा,  
हिमाचल प्रदेश।

ब अदालत एन० एत० जसवाल सहायक समाहर्ता, द्वितीय श्रेणी, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं०

तारीख दायरा

खाता नं० 71

तारीख पेशी 23-5-1995

श्रीमती कमला देवी पुत्री श्री परस राम, निवासी लटवाला, तहसील पालमपुर जिला कांगड़ा हिमाचल प्रदेश।

बनाम

१. धर्म चन्द, 2. रमेश चन्द, 3. अजीत कुमार, पुत्रान पूर्ण चन्द, 4. सूनी देशी 5. श्रीमती कृष्णा देवी पुत्री श्री अणुडारी पुत्री श्री वाम, 6. कमला देवी पत्नी श्री लाल सिंह पुत्र 7. श्रीमती जनेश्वरी कुमारी 8. राममेश्वरी, कुमारी, 9. शिमरी पुत्री श्री अर्जुन दास पुत्र श्री तुलसी, 10. सतपाल पुत्र श्री अर्जुन पुत्र श्री तुलसी ममो निवासी लटवाला, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश, 11. नारायण दान पुत्र श्री नरंग, निवासी मुलहा, तहसील पालमपुर, जिला कांगड़ा

विषयः भूमि खाता नं० 71 खतोनी नं० 180 खसरा नं० 598, 609, 912, 914 1091, 1191, 1106, 1107 1384, 1466, 1485, 1484 1493, 1516, 1517, 300, 317, 366, 631, 1123, 1130, 1131, 1359, 301, 318, 365, 691, 1103, 1121, 1431, किता 31 रकबा तादादी 1-05-35 है० बाक्या महाल लटवाला मीजा वगोडा तहसील पालमपुर, जिला कांगड़ा जमाबन्दी साल 1989-90.

उपरोक्त मुद्दमा के सम्बन्ध में प्रतिवादीगणों को इस अदालत द्वारा समन व पंजिका समन द्वारा सूचित किया गया परन्तु समन विला तामील वाफिज दी गये। अतः बजरिया इशतहार राजपत्र हिमाचल प्रदेश द्वारा फरीकदोषमगण को सूचित किया जाता है कि वह दिनांक 2-9-95 को प्रातः 10 बजे अदालत हजा में आकर मुद्दमा की पैरवी करें अन्यथा हजब जावता कार्यवाही अमल में लाई जायेगी।

बाज दिनांक 8-7-95 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

पन० पम० जसबान,  
सहायक समाहर्ता द्वितीय श्रेणी,  
तहसील पालमपुर, जिला कांगड़ा,  
हिमाचल प्रदेश।

अदालत महायुक्त समाहर्ता द्वितीय श्रेणी, पालमपुर (कांगड़ा)

मुख्य नं० 24/94

तारीख पेशी 26-8-95

पेशी देवी

बनाम

जगदीश

हिम मण्डला तकसीम भूमि खाता नं० 91 खतोनों नं० 225  
खसरा नं० 874, 875, 885 किता 3 ताबदी 0-09-66 हैकटेयर  
बाकिया महाल मंडेड़, मौजा तड़ूर सरगरी, तहसील पालमपुर।

बनाम

1. मुरदेई पुत्री झू, 2. विधीया, 3. रोशन, 4. रमेश पुत्र  
व, 5. रत्नी, 6. कमला पुत्री व, 7. रत्ना विधवा महला, 8. देवी,  
9. सितोपनी वर्मन, 10. गीता, 11. ब्रमही, 12. धोली 13. शिवी  
पुत्रियां नन्द, 14. बरमान श्रीमति लकी देवी पुत्री गिखू, निवास  
मंडेड़, मौजा सिद्धपुर परगना, उत्तराखंडीयग

उपरोक्त उत्तराखंडीयग नं० 1 ता 12 की तामील साधारण ढंग  
से नहीं हो रही है तथा उत्तरवादी नं० 13 लंको देवी जो कि  
फौत शुद्धा है के तारमान को सूची प्राप्त नहीं हो रही है जिस  
कारण उनकी तामील साधारण ढंग से नहीं हो सकती है। अतः  
उपरोक्त तामील उत्तरवादीयग को सूचित किया जाता है कि वह  
अमानत या बतलतन दिनांक 26-8-95 को मण्डला की तरफ  
करे प्रत्यक्षा हस्त जावना यातरफा कार्यवाही अमल में लाई  
जायेगी।

मोहर।

हस्ताक्षरित,

सहायक समाहर्ता द्वितीय श्रेणी,  
पालमपुर (कांगड़ा)।

अदालत श्री साहेब लाल शर्मा, महायुक्त समाहर्ता द्वितीय श्रेणी-कम-नायब  
तहसीलदार, कांगड़ा।

मिसल नं० 1/95

शेर सिंह पुत्र सुखी उर्फ नरक विधू पुत्र बजोर, वासो बूढ़नी  
मंडेड़ली, तहसील व जिला कांगड़ा।

...सायन।

बनाम

1. श्रीकार चन्दा पुत्र सुखी उर्फ नरक विधू पुत्र बजोर, 2. गीता  
देवी, 3. लीला देवी, 4. माया देवी, 5. ललीता देवी पुत्रियां  
सुखी 6. ललीता चन्द, 7. प्रकाश चन्द पुत्रान व 8. सुलोचना  
देवी, 9. रक्षा देवी पुत्रीयान रसीला, 10. प्रेषिया पुत्र मिधू,  
11. पताम चन्द, 12. किशोरी लाल पुत्रान व 13. श्रीमती  
सिमली देवी पुत्री व 14. श्रीमती धनी देवी बेवा बरडू, बासोगण  
महाल बूढ़नी मंडेड़ली, मौजा पठियार, तहसील व जिला कांगड़ा।

...प्रत्यार्थीगण।

बाकिया बरडे तकसीम भूमि खाता नं० 8 खतोनों नं० 14  
खसरा नम्बरान किता 14 रकबा ताबदी 01-49-17 है 0 बाकिया  
महाल बूढ़नी मंडेड़ली, मौजा पठियार, तहसील व जिला कांगड़ा।  
जमाबन्दी वर्ष 1991-92

नोटिस बनाम प्रत्यार्थीगण

उपरोक्त दावा तकसीम इस न्यायालय में विचारार्थीन है जिसमें  
प्रत्यार्थीगण को हाजरी जरूरी है। उपरोक्त प्रत्यार्थीगणों को कई  
बार इस अदालत द्वारा बजरिया समन तलब किया गया लेकिन हर

बार समन बिना तामील प्राप्त होते रहे। अतः न्यायालय को  
पूर्ण विश्वास हो चुका है कि प्रत्यार्थीगणों को साधारण ढंग से तामील  
होना असम्भव है।

अतः इस उद्देश्य द्वारा उपरोक्त प्रत्यार्थीगणों को सूचित किया  
जाता है कि अगर कोई एतराज हो तो वह अमानत या बतलतन  
या अपने किसी ऐजेंट द्वारा हाजरी हो कर दिनांक 24-8-95 को  
सुबह 10 बजे पेश कर सकता है। हाजर न आने की सूत्र में  
यक तरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 14-7-1995 को मेरे हस्ताक्षर व मोहर अदालत  
द्वारा जारी हुआ।

मोहर।

साहेब लाल शर्मा,

महायुक्त समाहर्ता द्वितीय श्रेणी,

कांगड़ा।

अदालत श्री साहेब लाल शर्मा, महायुक्त समाहर्ता द्वितीय श्रेणी-कम-नायब  
तहसीलदार, कांगड़ा।

मिसल नं० 220/95

मुरिंद्र कुमार, शक्ति कुमार, मरिची कुमार पुत्रान व नीलम पुत्री  
बिहारी लाल, वासी महाल लिदबड़, मौजा नगराटा बगवां तहसील  
कांगड़ा।

...सायन।

बनाम

1. शारदा देवी, पत्नी प्रकाश चन्द, 2. सीता देवी उर्फ सखा  
देवी, 3. शास्त्रा देवी, 4. सत्येश कुमारी, 5. कुसुम लता, 6. नीलम  
कुमारी पुत्रीयान व 7. मलय नन्द, 8. खुशी राम, 9. अश्वनी कुमार,  
पुत्रान व 10. श्रीमती ईश्वरी देवी बेवा मुन्दर, 11. गुरुभगत,  
12. गिन्धारी लाल, 13. सीम प्रकाश, 14. कुल भूपण पुत्रान व  
15. श्रीमती कान्हा देवी पुत्री व 16. राजेश्वरी देवी बेवा जगन्नाथ  
17. सतीश कुमार, 18. सम्बंधी कुमार पुत्रान रामदेवा उर्फ प्रेम  
लाल, 19. प्रकाश चन्द पुत्र जय चन्द, बासी महाल लिदबड़ मौजा  
नगराटा बगवां, तहसील व जिला कांगड़ा।

...प्रत्यार्थीगण।

दरखास्त वराने तकसीम भूमि खाता नं० 39 खतोनों नं० 83 ता 87  
खसरा नं० किता 10 रकबा ताबदी 0-23-11 है 0 बाकिया महाल,  
लिदबड़ मौजा नगराटा बगवां, तहसील व जिला कांगड़ा। जमाबन्दी  
वर्ष 1987-88.

नोटिस बनाम प्रत्यार्थीगण

उपरोक्त दावा तकसीम न्यायालय में विचारार्थीन है जिसमें प्रत्यार्थीगण  
को हाजरी जरूरी है। उपरोक्त प्रत्यार्थीगणों को कई बार इस  
अदालत द्वारा बजरिया समन तलब किया गया लेकिन हर बार  
समन बिना तामील प्राप्त होते रहे। अतः न्यायालय को पूर्ण विश्वास  
हो चुका है कि प्रत्यार्थीगणों को साधारण ढंग से तामील होना असम्भव है।

अतः इस उद्देश्य द्वारा उपरोक्त प्रत्यार्थीगणों को सूचित किया  
जाता है कि अगर कोई एतराज हो तो वह अमानत या बतलतन  
या अपने किसी ऐजेंट द्वारा हाजरी हो कर दिनांक 24-8-95 को  
सुबह 10 बजे पेश कर सकता है। हाजर न आने की सूत्र में  
यक तरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 14-7-1995 को मेरे हस्ताक्षर व मोहर अदालत  
द्वारा जारी हुआ।

मोहर।

साहेब लाल शर्मा,

महायुक्त समाहर्ता द्वितीय श्रेणी,

कांगड़ा।

अदालत जनाब महायुक्त समाहर्ता-कम-नायब तहसीलदार  
द्वितीय श्रेणी, कांगड़ा (हि० प्र०)

मिसल नं० 2/95

शेर सिंह पुत्र सुखी उर्फ नरक विधू, वासी महाल बूढ़नी मंडेड़ली,  
मौजा पठियार, तहसील व जिला कांगड़ा।

...सायन।



बनाम

ब अदालत जनाब सोहन लाल शर्मा, सहायक समाहर्ता द्वितीय श्रेणी,  
कम-नामक तहसीलदार, कांगड़ा।

1. ललित चन्द, 2. प्रकाश चन्द पुत्र व 3. सुलोचना देवी,  
4. रक्षा देवी पुत्रिया रसीदा राम, 5. श्रीधर चन्द पुत्र व 6.  
गोता देवी, 7. लाला देवी, 8. गायी देवी, 9. जलित देवी पुत्रिया  
सुरभी उर्फ तेक वधू, बासीमान महाल मण्डली बुहली, मौजा पठियाए,  
तहसील व जिला कांगड़ा। ---प्रत्यापीण।

मिसन नं० 217/NT

1. प्रताप चन्द, 2. स्तो पुत्रात किरण राम, धावी अरेड,  
मौजा नेरटी, तहसील व जिला कांगड़ा। ---प्रत्यापीण।

बनाम

दरखास्त बगये तहसील भूमि खाता नं० 7, खतोनी नं० 13,  
खसरा नम्बरान किता 17, रकबा तादादी 01-46-16 है०,  
बासी महाल मण्डली बुहली, मौजा पठियाए, तहसील व जिला कांगड़ा।  
जमाबन्दी वर्ष 1991-92

नोटिस बनाम प्रत्यापीण,

उपरोक्त दावा तहसील इस न्यायालय में विचाराधीन है। जिसमें  
प्रत्यापीण की हाजरी जरूरी है। उपरोक्त प्रत्यापीणों को नई बार  
इस अदालत द्वारा बजरिया समन तलब किया गया लेकिन हर बार  
समन बिना तामील प्राप्त होते रहे। अतः न्यायालय को पूर्ण विश्वास  
हो चुका है कि प्रत्यापीणों की साधारण ढंग से तामील होना असम्भव  
है।

अतः इस इस्तहार द्वारा उपरोक्त प्रत्यापीणों को सूचित किया जाता  
है कि अगर कोई एतराज हो तो वह अदालत या बकालत या अपने  
किसी एजेंट द्वारा हाजिर होकर दिनांक 24-8-1995 को सुबह 10 बजे  
पेश कर सकता है। हाजर न आने कि सूत्र में एकतरफा कार्यवाही  
अमल में लाई जाएगी।

आज दिनांक 14-7-95 को हमारे हस्ताक्षर व मोहर अदालत से  
जारी हुआ।

मोहर।

हस्ताक्षरित/-

महाश्व समाहर्ता-कम-नामक तहसीलदार,  
द्वितीय श्रेणी, कांगड़ा।

बभरमान श्री जन्दर कुमार हंस, गायत्री दण्डाधिकारी, तहसील  
जवाँ, जिला कांगड़ा (हि० प्र०)

मुद्दमा : मृत्यु प्रमाण-पत्र

दरखास्त जेर धारा (13)3 जन्म तिथि एवं मृत्यु अधिनियम  
1969.

नोटिस बनाम आम जनता।

श्री कृष्ण चन्द पुत्र श्री अन्तर चन्द, बासी घाटा में इस  
न्यायालय में दरखास्त दा है कि उनके पिता अन्तर चन्द का  
मृत्यु तिथि पंजाब रजिस्ट्रार में गती से दर्ज नहीं कराई  
गई है, अब दर्ज की जावे। इसके अलावा की मृत्यु तिथि  
20-5-1994 है मृत्यु की मृत्यु गाव घाटा में हुई है।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धित व्यक्तियों  
द्वारा को सूचित किया जाता है कि यदि किसी को इनका नाम  
दर्ज अदालत में कोई आपत्ति या उबर हो तो वह दिनांक  
20-9-1995 को 10.00 बजे प्रातः स्वयं प्रमदा किता बाकत  
के माध्यम से हमारे समक्ष अदालत में हाजिर आकर पेश करें  
अन्यथा एक तरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 12-7-95 को हमारे हस्ताक्षर व मोहर अदालत से  
जारी हुआ।

मोहर।

जन्दर कुमार हंस,  
गायत्री दण्डाधिकारी,  
जवाँ, जिला कांगड़ा (हि० प्र०)।

आम जनता

प्रतिवादी।

दरखास्त बगये पंजीयन जेर धारा 13 (3) जन्म/मृत्यु पंजीयन  
अधिनियम, 1969.

उपरोक्त प्रार्थी ने इस अदालत में प्रार्थना पत्र दाख किया है  
कि उसका लड़का प्रवीण सिंह का जन्म दिनांक 9-6-1992 को

1. महलूर राम पुत्र हाशनाकू, 2. रोशन लाल, 3. चम्पी लाल,  
4. जगदीश चन्द, पुत्रात व 5. श्रीमती जयका देवी, 6. भासा देवी  
पुत्रीमात व 7. जैलाल देवी पत्नी राम, 8. (a) देवा राज (b) राजेन्द्र सिंह  
(c) सुरिन्द्र कुमार पुत्रात व (d) लीला देवी देवी धर्मन, 9. श्रीमती सैहरी  
पुत्री साहित, 10. प्रकाश चन्द, 11. श्रीमती चन्द पुत्रात व 12. दर्शना देवी  
पुत्री व 13. श्रीमती सुनी देवी धनी राम, 14. सतीश कुमार पुत्र  
व 15. श्रीमती रेखा पुत्री व 16. श्रीमती लावा देवी पतिना चन्द,  
बासीमान महाल अरेड, मौजा नेरटी, तहसील कांगड़ा। ---प्रत्यापीण।

---प्रत्यापीण।

दरखास्त बगये तहसील भूमि खाता नं० 92, खतोनी नं० 197  
ता 200, खसरा नम्बरान किता 6, रकबा तादादी 0-47-78 है०,  
बासी महाल अरेड, मौजा नेरटी, तहसील व जिला कांगड़ा। जमाबन्दी  
वर्ष 1987-88

नोटिस बनाम प्रत्यापीण,

उपरोक्त दावा तहसील इस न्यायालय में विचाराधीन है। जिसमें  
प्रत्यापीण की हाजरी जरूरी है। उपरोक्त प्रत्यापीणों को नई बार  
इस अदालत द्वारा बजरिया समन तलब किया गया लेकिन हर बार  
समन बिना तामील प्राप्त होते रहे। अतः न्यायालय को पूर्ण विश्वास  
हो चुका है कि प्रत्यापीणों की साधारण ढंग से तामील होना  
असम्भव है।

अतः इस इस्तहार द्वारा उपरोक्त प्रत्यापीणों को सूचित किया जाता  
है कि अगर कोई एतराज हो तो वह अदालत या बकालत या अपने  
किसी एजेंट द्वारा हाजिर होकर दिनांक 31-8-95 को सुबह 10 बजे  
पेश कर सकता है। हाजर न आने कि सूत्र में एकतरफा कार्यवाही  
अमल में लाई जाएगी।

आज दिनांक 25-7-1995 को हमारे हस्ताक्षर व मोहर अदालत  
से जारी किया गया।

मोहर।

सोहन लाल शर्मा,  
सहायक समाहर्ता द्वितीय श्रेणी,  
कांगड़ा, हिमाचल प्रदेश।

ब अदालत जनाब सुरिन्द्र लाल जमवाल, गायत्री दण्डाधिकारी  
फतेहपुर, जिला कांगड़ा (हि० प्र०)

साधू राम

बनाम

आम जनता

मिसन नं०

आराख पेशा

किस्म मुत्तद्दमा

21/1995/NTF

20-9-95

जन्म पंजीयन

श्री साधू राम पुत्र चूड़ सिंह, निवासी भाटी हड़तालवाँ,  
उप-तहसील फतेहपुर, जिला कांगड़ा।  
सायल

बनाम

आम जनता

प्रतिवादी।

दरखास्त बगये पंजीयन जेर धारा 13 (3) जन्म/मृत्यु पंजीयन  
अधिनियम, 1969.

उपरोक्त प्रार्थी ने इस अदालत में प्रार्थना पत्र दाख किया है  
कि उसका लड़का प्रवीण सिंह का जन्म दिनांक 9-6-1992 को

वाक्या गांव भाटी, हड़यालवां में हुआ था। परन्तु वह अज्ञानता वश में उनकी जन्म तिथि पंचायत में दर्ज नहीं करवा सका।

भा। इस इशतहार द्वारा सर्व साधारण को सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त वर्षक जन्म बार कोई पुराज हो तो वह अपना पुराज दिनांक 20-9-1995 को प्रातः 10 बजे हाजिर अदालत आकर पेश करे अन्यथा जन्म पंजीयन आदेश वहक साम पंचायत मनीह मिहाल जारी कर दिए जायेंगे।

यह इशतहार आज दिनांक 27-7-1995 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

सुरिन्द्र पाल जसवाल,  
कार्यकारी वण्डाधिकारी,  
फतेहपुर कांगड़ा (हि० प्र०)।

व अदालत श्री सुरिन्द्र पाल जसवाल, सहायक समाहर्ता द्वितीय श्रेणी, फतेहपुर कांगड़ा (हि० प्र०)

तस्दीक किये जाने इत्काल नं० 122, बावत खाता नं० 1/2 मिन त/ख खसरा नं० 778, रुकवा तादादी 0-20-46 हैक्टयर बावया महाल टटवाली, मौजारे, जेर धारा 104, हिमाचल प्रदेश मजारियत एवं भू-सुधार अधिनियम, 1972।

श्री बनदेव सिंह पुत्र मुन्शी पुत्र गुरादला, निवासी टटवाली ..वादी

बनाम

सुनीत सिंह पुत्र होणयार सिंह, रणवीर सिंह पुत्र व श्रीमति अंजलि पुत्री सन्तोष देवी विधवा मोहन सिंह पुत्र होणयार सिंह, निवासी महाल अगाहर, उप-तहसील फतेहपुर, कांगड़ा (हि० प्र०) ..प्रतिवादीगण।

उपरोक्त इत्काल वादी के पक्ष में दर्ज होकर दिनांक 20-7-95 को बराये तस्दीक हमारे समक्ष पेश हुआ। परन्तु मालकान (प्रतिवादीगण) हाजिर नहीं आये। मालकान को साधारण तौर पर बजरिया नोटिस इतलाह हो पाना कठिन पाया जा रहा है। इसलिए उन्हें सिविल प्रोसिजर कोड के आदेश 5, नियम 20 के अन्तर्गत इशतहार द्वारा सूचित किया जाता है कि वे दिनांक 20-9-95 को सुबह 10 बजे मुकाम फतेहपुर में आकर अपनी पैरवी करें अन्यथा यह इत्काल वहक वादी मन्जूर कर दिया जायेगा।

यह इशतहार आज दिनांक 27-7-1995 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

सुरिन्द्र पाल जसवाल,  
सहायक समाहर्ता द्वितीय श्रेणी,  
फतेहपुर, जिला कांगड़ा (हि० प्र०)।

व अदालत श्री सुरिन्द्र पाल जसवाल, सहायक समाहर्ता द्वितीय श्रेणी, फतेहपुर, जिला कांगड़ा (हि० प्र०)

तस्दीक किए जाने इत्काल नं० 38, नं० खाता 2 मिन, खसरा नं० 92, रुकवा तादादी 0-02-54 हैक्टयर, बावया महाल गेरकण्डी, मौजारे, जेर-धारा 104, हिमाचल प्रदेश मजारियत एवं भू-सुधार अधिनियम, 1972।

श्री गुरदास पुत्र बांका, पुत्र फलही, निवासी पलाह ..वादी

बनाम

श्री रणवीर सिंह पुत्र व श्रीमति अंजलि पुत्री व सन्तोष देवी विधवा मोहन सिंह पुत्र होणयार सिंह, निवासीगण गेरकण्डी, मौजारे, उप-तहसील फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश ..प्रतिवादीगण।

उपरोक्त इत्काल वादीगण के पक्ष में दर्ज होकर दिनांक 20-7-95 को बराये तस्दीक हमारे समक्ष पेश हुआ। परन्तु

मालकान / प्रतिवादीगण हाजिर नहीं आये। मालकान को साधारण तौर पर बजरिया नोटिस इतलाह हो पाना कठिन पाया जा रहा है। इसलिए उन्हें सिविल प्रोसिजर कोड के आदेश 5, नियम 20 के अन्तर्गत इशतहार द्वारा सूचित किया जाता है कि वे दिनांक 20-9-95 को सुबह 10-00 बजे मुकाम फतेहपुर में आकर अपनी पैरवी करें अन्यथा यह इत्काल वहक वादीगण मन्जूर कर दिया जाएगा।

यह इशतहार आज दिनांक 27-7-1995 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

सुरिन्द्र पाल जसवाल,  
सहायक समाहर्ता द्वितीय श्रेणी,  
फतेहपुर, जिला कांगड़ा (हि० प्र०)।

व अदालत श्री सुरिन्द्र पाल जसवाल, सहायक समाहर्ता द्वितीय श्रेणी, फतेहपुर, जिला कांगड़ा

तस्दीक किये जाने इत्काल नं० 37, नं० खाता 11 मिन, खसरा नं० 39, 73, 85 किता 3 रुकवा तादादी 0-29-16 हैक्टयर बावया महाल गेरकण्डी, मौजारे, जेर धारा 104 हिमाचल प्रदेश मजारिया एवं भू-सुधार अधिनियम, 1972।

श्री गुरदास पुत्र बांका पुत्र फलही निवासी पलाह ..वादी।

बनाम

रणवीर सिंह पुत्र व श्रीमति अंजलि पुत्री व सन्तोष देवी विधवा मोहन सिंह पुत्र होणयार सिंह निवासीगण गेरकण्डी, मौजारे उप-तहसील फतेहपुर, कांगड़ा, हिमाचल प्रदेश ..प्रतिवादीगण।

उपरोक्त इत्काल वादीगण के पक्ष में दर्ज हो कर दिनांक 20-7-1995 को बराये तस्दीक हमारे समक्ष पेश हुआ परन्तु मालकान (प्रतिवादीगण) हाजिर नहीं आए। मालकान को साधारण तौर पर बजरिया नोटिस इतलाह हो पाना कठिन पाया जा रहा है। इसलिए उन्हें सिविल प्रोसिजर कोड के आदेश 5, नियम 20 के अन्तर्गत इशतहार द्वारा सूचित किया जाता है कि वे दिनांक 20-9-1995 को सुबह 10-00 बजे मुकाम फतेहपुर में आकर अपनी पैरवी करें अन्यथा यह इत्काल वहक वादीगण मन्जूर कर दिया जाएगा।

यह इशतहार आज दिनांक 27-7-1995 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

सुरिन्द्र पाल जसवाल,  
सहायक समाहर्ता,  
द्वितीय श्रेणी, फतेहपुर।

व अदालत श्री सुरिन्द्र पाल जसवाल, सहायक समाहर्ता द्वितीय श्रेणी, फतेहपुर, जिला कांगड़ा

तस्दीक किए जाने इत्काल नं० 156, नं० खाता 52, किता 8, रुकवा तादादी 1-46-03 हैक्टयर बावया महाल व मौजारे, जेर धारा 104 हिमाचल प्रदेश मजारियत एवं भू-सुधार अधिनियम, 1972।

श्री रमेश चन्द, जगरूप सिंह, नरेश कुमार पुत्र व श्रीमती छैली देवी हिस्मा घरान वनीज गैर मोरूसी सारनाम ..वादीगण।

बनाम

श्री रणवीर सिंह, बृजपाल सिंह, जनार्दन सिंह, हरमजन सिंह, रामेश्वर सिंह पुत्र व श्रीमति बिमला देवी पुत्री देवी सिंह भाग बराबर साकनाना रे, उप-तहसील फतेहपुर, जिला कांगड़ा ..प्रतिवादीगण।

उपरोक्त इत्काल वादीगण के पक्ष में दर्ज हो कर दिनांक 20-7-1995 को बराये तस्दीक हमारे समक्ष पेश हुआ परन्तु मालकान (प्रतिवादीगण) हाजिर नहीं आए। मालकान को कई बार इतलाह करवाने के लिए नोटिस जारी हुए परन्तु उनकी तामोल साधारण तौर पर होना कठिन है। इसलिए उन्हें सिविल प्रोसिजर कोड के आदेश 5, नियम 20 के अन्तर्गत इशतहार द्वारा सूचित किया जाता है कि वे दिनांक 20-9-95 को सुबह 10-00 बजे मुकाम फतेहपुर में आकर

आनी पैरवी करे अन्धधा यह इस्तकाल वहक वादीगण मन्जूर कर दिया जाएगा।

यह इस्तहार आज दिनांक 27-7-1995 को हमारे हस्ताक्षर व मोहर प्रदानत रहित जारी हुआ।

मोहर। सुरिन्द्र पाल जसवाल,  
सहायक समाहर्ता,  
द्वितीय श्रेणी, फतेहपुर।

व प्रदानत श्री सुरिन्द्र पाल जसवाल, सहायक समाहर्ता द्वितीय श्रेणी, फतेहपुर, जिला कांगड़ा।

तस्दीक किए जाने इस्तकाल नं० 123, बावत खाता नं० 67 मिन/126 ख खनरा नं० 682/1, रकबा तादादी 0-59-84 हेक्टेयर वाक्का महाल टटवाली, मोजा रे, उप तहसील फतेहपुर, जेरा धारा 104 हिमाचल प्रदेश मुजायित एवं भू-सुधार अधिनियम, 1972।

श्री रणजीत सिंह, सुभाष सिंह, जगदेव सिंह पुत्र व श्रीमती जानो विधवा क्षुशिया, गारुनान टटवाली रे उप तहसील फतेहपुर वादीगण।

बनाम

श्री कुलदीप सिंह, रणदीप सिंह पुत्र प बीना देवी पुत्री वक्षीश सिंह, सदीप सिंह, अमरदीप सिंह, नवदीप सिंह पुत्र कुलदीप सिंह, यशदीप सिंह पुत्र रणदीप सिंह, नरेंद्र सिंह पुत्र रघुनाथ सिंह, गोवर्धन दास पुत्र व श्रीमती शीला देवी पुत्री भगवान दास, तुलसी राम पुत्र किशन राममूर्ति पुत्र सीता राम, राम प्रकाश पुत्र सीता राम, सत्य पाल, सुशील कुमार पुत्र व श्रीमती उमा देवी पुत्री अयोध्या दास, साई दान, श्रीकार नाथ पुत्र हरि राम, रणवीर सिंह पुत्र व श्रीमती अंजली पुत्री व मन्तोष देवी विधवा मोहन लाल, श्रीमती चन्द्रगन्ता पत्नी प्रोतन सिंह, रणवीर सिंह, बृजपाल सिंह, जनार्दन सिंह, हरभजन सिंह, रामेश्वर सिंह पुत्र देवी सिंह, जय सिंह पुत्र व श्रीमती सीता देवी विधवा मोहन सिंह, ग्रहण पुत्र लखू, भगत राम पुत्र हुकमा, श्रीमती प्यार देवी पत्नी नंगन राम नाकन टटवाली रे प्रतिवादीगण।

उपरोक्त इस्तकाल वादीगण के पक्ष में दज होकर दिनांक 20-7-95 को बराए तस्दीक हमारे समक्ष पेश हुआ परन्तु मालकान हाजिर नहीं आए। मालकान के इतलाह करवाने के लिए कई बार नोटिस जारी हुआ परन्तु उनकी साधारण तौर पर ताजिल होना मदिन है। इसलिए उन्हें सिविल प्रोसिजर कोड के आदेश 5, नियम 20 के अन्तर्गत इस्तहार द्वारा सूचित किया जाता है कि वे दिनांक 20-9-1995 को सुबह 10-00 बजे मुकाम फतेहपुर में आकर अपनी पैरवी करे अन्यथा यह इस्तकाल वहक वादीगण मन्जूर कर दिया जाएगा।

यह इस्तहार आज दिनांक 27-7-1995 को हमारे हस्ताक्षर व मोहर प्रदानत रहित जारी हुआ।

मोहर। सुरिन्द्र पाल जसवाल,  
सहायक समाहर्ता,  
द्वितीय श्रेणी, फतेहपुर।

व प्रदानत श्री इन्द्र राम, ज्येष्ठ उप न्यायाधीश, कुल्लू, जिला कुल्लू हिमाचल प्रदेश

पटीशन नं० 14/94

1. श्री रणजीत सिंह पुत्र श्री रोजन नान, 2. श्री शर सिंह पुत्र स्वर्गीय श्री रोजन नान दोनों निवासी गांव बरड़, फाटी जिलोहार, कोटी कोटकण्डी, तहसील व जिला कुल्लू, हि० प्र०, 3. श्रीमती बीना देवी पुत्री स्वर्गीय श्री रोजन नान, नान गांव बरड़, फाटी जिलोहार, कोटी कोटकण्डी तहसील व जिला कुल्लू हि० प्र०, 4. श्रीमती कमला देवी पुत्री स्वर्गीय श्री रोजन

बनाम

1. आम जनता  
2. श्रीमती गकुनता देवी पुत्री स्वर्गीय श्री रोजन नान, नान निवासी गांव बरड़, फाटी जिलोहार, कोटी कोटकण्डी तहसील व जिला कुल्लू, हि० प्र०, 3. श्रीमती बीना देवी पुत्री स्वर्गीय श्री रोजन नान, नान गांव बरड़, फाटी जिलोहार, कोटी कोटकण्डी तहसील व जिला कुल्लू हि० प्र०, 4. श्रीमती कमला देवी पुत्री स्वर्गीय श्री रोजन

जाल हाल निवसी गांव बरड़, फाटी जिलोहार, कोटी कोटकण्डी, तहसील व जिला कुल्लू हिमाचल प्रदेश प्रतिवादीगण।

उपरोक्त जनान पटीशन में भारतीय उत्तराधिकारी अधिनियम 372 के तहत मृतक श्री रोजन नान पुत्र चमाराम राम जौक 12-5-89 को स्वर्ग सिधार चुका है जिसका उत्तराधिकार प्रमाण पत्र लेने हेतु पटीशन गुजारा है यदि इस बारा में किसी भी व्यक्ति को एतराज हो तो तिथि 30-8-95 को सुबह 10 बजे अमानतन या बकालतन हाजिर होकर पैरवी करे अन्यथा एक तरफा कार्यवाही अमल में लाई जावेगी।

मेरे हस्ताक्षर व मोहर अदालत से आज तिथि 15-7-1995 को हुआ।

मोहर। इन्द्र राम,  
ज्येष्ठ उप न्यायाधीश,  
कुल्लू, हि० प्र०।

## PROCLAMATION

In the Court of P. C. Dogra, IAS, Divisional Commissioner, Mandi Division, Circuit Court at Hamirpur, District Hamirpur (H. P.)

Revision Petition Nos. 18/92 & 82/92

In the matter of :

Shakti Chand alias Jagat Ram son of Shri Shihdu Ram, resident of Village Lohani Tapa Bani, Tahsil Barsar District Hamirpur, H.P. .. Petitioner.

Versus

1. Baldev Raj, 2. Jaund, 3. Jitu, 4. Ranjit, 5. Anant Ram, 6. Durga Dass sons of Mast Ram, 7. Bantu son of Nandu, 8. Sita Devi widow of Basant Ram, 9. Paras Ram s/o Negi, 10. (a) Vijai Kumar, (b) Ajay Kumar, (c) Mohinder Pal sons of Hari Chand 11. Babu Ram sons of Rama, 12. Jai Dai wd/o Sant Ram, (b) Dev Raj s/o Sayar, 13. Jagan Nath (b) Sarwan Kumar, (c) Ram Krishan s/o Sita Ram, 14. Chando Devi wd/o Sunder, 15. (a) Harbhalas, (b) Krishan Lal, (c) Karam Chand s/o Labhu Ram, (d) Naresh, (a) Suresh, (f) Raju s/o Parkash Chand Minor through their mother Satya Devi, 16. Manohar Lal, (b) Ashwani Kumar s/o Tiru Ram (c) Smt. Basambhari Devi wd/o Tiru Ram, 17. Jai Gopal s/o Sukh Dev, 18. Dharam Bir, (b) Roshan Lal (c) Sube Ram, (d) Hakam Chand s/o Sukh Dev, 19. Lachhman Ram s/o Wazira, 20. Rajinder Kumar, (b) Rakesh Kumar (c) Suresh s/o Bali Ram, 21. Jaishi Ram s/o Bhura (b) Madan Lal (c) Desh Raj s/o Bhagat Ram, 22. Ram Dass, (b) Rama Nand, (c) Bhagu s/o Daroga, 23. Sain Dass s/o Hari Singh, 24. Santu s/o Kaw, 25. Tulsi Ram s/o Kapura, 26. Hari Ram, s/o Sayar, 27. Kushlya wd/ Kishan Dutt, alias Rualu, (b) Asha Ram, (c) Vinay Kumar s/o Kishan Dutt, 28. Dar Dev (b) Paisu s/o Chhanga, 29. L. R. S. of Hari Ram (a) Raj Kumar son, (b) Roshani Devi, widow, 30. Bhagat Ram s/o Devi Ditta A/Power of Sukhan Devi. All residents of village Kuswar, Tappa Bani, Tehsil Barsar, District Hamirpur. 31. Kishan Chand (b) Rattan Chand (c) Bhagi Rath (d) Dhan Pat Rai (e) Hans Raj s/o Khazana Ram, 32. Dharam Chand s/o Bakshi, 33. Lachhman (b) Jaund s/o Shyama, 34. Hari Ram s/o Sidhu, 35. Tulshi Ram, s/o Sidhu, 36. Hari Chand s/o Sidhu all residents of village Lohani, Tappa Bani, Tehsil Barsar, District Hamirpur. 37. Shali Gram s/o Tulsi r/o village Baroh, Tappa Dh-twal, Tehsil Barsar, District Hamirpur, H. P. .. Respondents.

Whereas in the above no.ed cases, it has been proved to the satisfaction of this court that respondents No. 2. Jaund, 3. Jitu, 4. Ranjit 10. (a) Vijai Kumar (b) Ajay Kumar, 13. (a) Jagan Nath, (c) Ram Kishan, 15. (c) Karam Chand, (d) Naresh, (e) Suresh (f) Raju 21. (a) Jaishi Ram, (c) Desh Raj, 22. Ram Dass, (c) Bhagu, 28. Hardev, 22. L. R. S. Hari Ram, (a) Raj Kumar, (b) Roshani, Devi, wd. 31. Kishan Chand (b) Rattan Chand,

(c) Bhagi Rath. (d) Dhan Pat Ram cannot be served through and ordinary course as the summons issued to them have received back unserved. Hence this proclamation is hereby issued against them to appear in the circuit court at Hamirpur on 19-10-1955 at 10 A.M. personally or through their pleader or authorised agent failing which *ex parte* proceedings will be taken against them.

Given under my hand and seal of this court on 17th day of July, 1995.

Seal. P. C. DOGRA,  
Divisional Commissioner,  
Mandi Division, Mandi (H.P.).

In the Court of Shri A. C. Thalwal, Senior Sub-Judge,  
Mandi District Mandi (H.P.)

In the matter of :—

Case No. 2/1994.

Lal Singh son of Inder Singh r/o village Giun, Tehsil Sarkaghat, District Mandi (H.P.) ..Applicant.

Versus

General Public and others ..Respondent.

Application U/S 10 of the Guardian and Wards Act for appointing the applicant guardian of the person and pension of the minor Asha Kumari.

Notice to :—

1. General Public.

2. Ram Chander son of Inder Singh r/o villrge Giun P. O. Giun, Tehsil Sarkaghat, Distt. Mandi (H.P.).

Whereas in the above noted case the above named applicant has moved an application in this Court under section 10 of the Guardian and Wards Act for appointment the guardian of the pension and person of the minor Asha Kumari as Shri Inder Singh died on 31-3-1993.

Hence, this proclamation is hereby issued to the general public and kith and kins of the deceased Inder Singh to file objection, if any, for the appointment of applicant as guardians of the person and pension of the minor Asha Kumari in this Court on 23-8-1995 at 10-00 A.M. personally to defend the case, failing which the petition will be heard *ex parte*.

Given under my hand and the seal of the Court on this 3rd day of July, 1995.

Seal. A. C. THALWAL,  
Senior Sub-Judge,  
Mandi, District Mandi.

In the Court of Senior Sub-Judge, Mandi, District Mandi (H.P.)

In the matter of :—

Case No. 2/1995

1. Smt. Nirmla Devi wd/o, 2. Kumari Nela, Kumari Neraj ds/o 4. Anil Kumar s/o late Shri B. K. Sharma, r/o House No. 185/11 Taran Hill, Mandi (H. P.) .. Applicants.

Vs.

General Public .. Respondent.

Application U/S 372 of the Indian Succession Act for the grant of succession Certificate.

Notice to :—

General Public.

Whereas in the above noted case the above named applicants have filed an application in this Court under section 372 of Indian Succession Act in respect of the assets of late Shri B. K. Sharma, who died on 20-11-1993.

Hence this proclamation is hereby issued to the General Public and kith and kins of the deceased to file objection if any, to the grant of such Succession Certificate in favour of the applicants in this Court on 15-5-1995 at 10 A.M. personally to defend the case failing which the petition will be heard and disposed of *ex parte*.

Given under my hand the seal of the Court on this 3rd day of July, 1995.

Seal. A. C. THALWAL,  
Senior Sub-Judge,  
Mandi (H.P.).

ब अदालत श्री जे 0 एस 0 पठानिया, उप-मण्डल मैजिस्ट्रेट सरकाघाट, जिला मण्डी, हिमाचल प्रदेश

श्री जगदीश चन्द पुत्र श्री तुलसी राम, निवासी गांव राम नगर, तहसील सरगाघाट, मण्डी ।

बनाम

ग्राम जनता

दख्खास्त जेर धारा 13(3) पंजीकरण जन्म व मृत्यु एक्ट, 1949

श्री जगदीश चन्द पुत्र श्री तुलसी राम, निवासी रामनगर, तहसील सरकाघाट, जिला मण्डी हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसकी पुत्री कुमारी रेखा, पुत्र रविन्द्र कुमार व पुत्री अनिता कुमारी का जन्म क्रमशः दिनांक 2-12-88, 11-1-90, तथा 3-12-91 को हुआ है लेकिन उसकी जन्म तिथि पंचायत रिकार्ड में पंजीकृत नहीं हुई है ।

अतः ग्राम जनता को बजरिया इश्तहार राजपत्र सूचित किया जाता है कि उपरोक्त पंजीकरण बारा किसी को कोई उजर या एतराज हो तो वह दिनांक 26-8-95 को असालतन या बशालतन इस कार्यालय में सुबह 10 बजे हाजिर आवें तथा अपने उजर पेश करें अन्यथा दीगर कार्यवाही अमल में लाई जायेगी ।

आज दिनांक 15-6-95 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी हुआ ।

मोहर ।

जे 0 एस 0 पठानिया,  
उप मण्डल मैजिस्ट्रेट सरकाघाट,  
जिला मण्डी ।

ब अदालत श्री बी 0 डी 0 शर्मा, उप-पंजीगण्यक्ष (तहसीलदार) तहसील सरगाघाट, जिला मण्डी, हिमाचल प्रदेश

श्रमती दीपा पत्नी श्री तारा चन्द, गांव बहो, ईलाका बैरा, तहसील सरकाघाट, जिला मण्डी (हि 0 प्र 0) .. प्रार्थी ।

बनाम

1. ग्राम जनता हिमाचल प्रदेश ।

2. कान्ता, कमला, सलोचना, विमला, आशा, सत्योष, सुपना सुपुत्रियां श्री तारा चन्द, गांव बहो, महती विधवा शंकर, गांव बहो, ईलाका बैरा, तहसील सरगाघाट .. प्रत्यार्थीगण ।

विषय :—दरखास्त बगीचतनामा दर्जण पंजीकृत किए जाने ।

इस्तहार जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969 ।

इस्तहार

इस्तहार

प्राथी ने दिनांक 7-11-94 को दरखास्त व छाया प्रति बगीचतनामा इस अदालत में पेश की है । श्री तारा चन्द पुत्र श्री शंकर निवासी बही, ईलाका वैरा ने दिनांक 12-9-93 को राबू गवाहन व गिनायतकर्ता प्राथी के नाम तहसील करवाई है जो कि बगैचे पंजीकृत प्रस्तुत की है । मृत्यु प्रमाण-पत्र जिसके अनुसार श्री तारा चन्द मिति 5-10-93 को कीत हो चुका है । अतः ग्राम जनता को बजरिया इस्तहार सूचित किया जाता है कि अगर किसी व्यक्ति को इस बगीचतनामा के पंजीकृत करवाने में एतराज हो तो वह दिनांक 7-9-95 को सुबह 10 बजे अदालतन या बकालतन हाजर आकर अपना एतराज प्रस्तुत कर सकते हैं । अन्यथा कार्यवाही नियमानुसार अदालत में लाई जायेगी ।

आज दिनांक 3-7-95 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर । बी० डी० शर्मा,  
उप-पंजीकृतकर्ता,  
सरकाबाट, जिला मण्डी ।

उपरोक्त विषय के सम्बन्ध में प्राथी श्रीमती बिमला देवी पत्नी राम लाल ग्राम देवठी ने इस कार्यालय में प्राथी पत्र प्रस्तुत किया है कि उसकी पुत्री कुमारी रंजना का जन्म 15-4-93 को हुआ है का नाम पंचायत रिकार्ड सेंज में किसी कारण दर्ज न करवायी गयी अब दर्ज करवाना चाहती है ।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति/रिश्तेदार को इसके नाम दर्ज करवाने में एतराज हो तो वह अदालतन व बकालतन मिति 30-8-95 को समय 10 बजे सुबह हाजर आकर पेश करें । अन्यथा नाम दर्ज करवाने के आदेश पारित कर दिये जायेंगे ।

आज दिनांक 26-7-95 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया ।

मोहर । हस्ताक्षरित/-  
उप-मण्डल दण्डाधिकारी,  
डियोग, जिला शिमला, हि० प्र० ।

ब अदालत श्री राजीव शर्मा, उप-मण्डल दण्डाधिकारी, डियोग, जिला शिमला, हि० प्र०

न्यायालय श्री के० आर० भारद्वाज, महायक समाहर्ता द्वितीय श्रेणी, उप-तहसील बलडाड़ा, जिला मण्डी, हिमाचल प्रदेश

व मुद्रमा :

श्री रणजीत सिंह पुत्र पंजक राम पुत्र बेवर, निवासी बाडी, इलाका हटसी, उप-तहसील बलडाड़ा, जिला मण्डी, हिमाचल प्रदेश . . प्राथी ।

बनाम

ग्राम जनता . . पी० डी० शर्मा ।

प्राथी-पत्र दर्जण इस्तही नाम राजस्व अभिलेख ।

उपरोक्त प्राथी ने हमारे सम्मुख प्राथी-पत्र इन मांगय से प्रस्तुत किया है कि उसका नाम राजस्व अभिलेख में रण सिंह दर्ज है जबकि उसका वास्तविक नाम रणजीत सिंह है, जिसकी पुष्टि में प्राथी ने अनासंशयिक योग्यता के प्रमाण-पत्र को सत्यापित प्रति व पंचायत रिकार्ड की प्रति भी पेश की है जो कि सत्यम प्राथी-पत्र है । अतः नाम को इस्तही की जाए ।

अतः ग्राम जनता को इस इस्तहार द्वारा सूचित किया जाता है कि श्री रणजीत सिंह जिसका नाम राजस्व अभिलेख में रण सिंह दर्ज है के साथ अब प्राथी के अनुरोधानुसार यदि रण सिंह उप-नाम रणजीत सिंह दर्ज राजस्व अभिलेख होने में किसी को कोई आपत्ति हो तो वह दिनांक 28-8-1995 को प्रातः 10.00 बजे उपस्थित न्यायालय होकर पेश कर अन्यथा कार्यवाई नियमानुसार अदालत में लाई जायेगी ।

हस्ताक्षर हमारे श्री मोहर अदालत से आज दिनांक 29-7-1995 को जारी हुआ है ।

मोहर । के० आर० भारद्वाज,  
महायक समाहर्ता, द्वितीय श्रेणी,  
उप-तहसील बलडाड़ा, जिला मण्डी,  
हिमाचल प्रदेश ।

ब अदालत श्री राजीव शर्मा उप-मण्डल दण्डाधिकारी, डियोग जिला शिमला, हि० प्र०

श्रीमती बिमला देवी पत्नी राम लाल, ग्राम देवठी, परगना पराला, तहसील डियोग, जिला शिमला, हि० प्र०

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 ।

इस्तहार

उपरोक्त विषय के सम्बन्ध में श्री रमेश शर्मा पुत्र श्री शिव राम ग्राम वासी देवठी, तहसील डियोग ने इस अदालत में प्राथी पत्र प्रस्तुत किया है कि मेरे पिता जी को कुछ दिमागी परेशानी है जिस कारण मेरा नाम पंचायत रिकार्ड सेंज में दर्ज न कराया । प्राथी श्री रमेश शर्मा की जन्म तिथि 25-6-1969 की है, तथा उसकी पत्नी कमला देवी की जन्म तिथि 10-6-72 की है ग्राम पंचायत सेंज में दर्ज करवाना चाहता है ।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति/रिश्तेदार को इनके नाम दर्ज करवाने वाले एतराज हो तो वह अदालतन व बकालतन मिति 26-9-95 को समय 10 बजे सुबह हाजर आकर पेश करें । अन्यथा नाम दर्ज करवाने के आदेश पारित कर दिये जायेंगे ।

आज दिनांक 26-7-95 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया ।

मोहर । हस्ताक्षरित/-  
उप-मण्डल दण्डाधिकारी,  
डियोग, जिला शिमला, हि० प्र० ।

ब अदालत श्री बी० के० नेगी, कार्यकारी दण्डाधिकारी, तहसील रामपुर बुधहर, जिला शिमला, हिमाचल प्रदेश

श्री सुदेश कुमार पुत्र फूल सिंह, ग्राम बागो बाई नं० 4, तस्वा बाजार रामपुर, तहसील रामपुर बुधहर, जिला शिमला हि० प्र० ।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता

श्री सुदेश कुमार पुत्र फूल सिंह नगरवाली ने अधिनियम धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत दरखास्त प्रस्तुत करके प्रार्थना की है कि उसके पुत्र जिला कुमार को जन्म तिथि 20-4-1992 है का नाम नगरपालिका, रामपुर के रिकार्ड में दर्ज नहीं है। जिसे प्रार्थी अब दर्ज करवाना चाहता है।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि इस सम्बन्ध में यदि किसी व्यक्ति को उजर व एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि द्वारा दिनांक 25-8-95 को सुबह 10 बजे इस अदालत में उपस्थित हो कर प्रस्तुत करें, वरना नगरपालिका, रामपुर के रिकार्ड में नाम दर्ज करने के आदेश जारी कर दिये जायेंगे।

आज दिनांक 20-7-1995 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

वी० के० नेगी,  
कार्यकारी दण्डाधिकारी,  
तहसील रामपुर बुणहर, जिला शिमला,  
हिमाचल प्रदेश।

व अदालत श्री वी० के० नेगी, कार्यकारी दण्डाधिकारी, तहसील रामपुर बुणहर, जिला शिमला, हिमाचल प्रदेश

श्री किशन लाल पुत्र देवी राम, ग्राम वाली गाह, तहसील रामपुर बुणहर, जिला शिमला, हिमाचल प्रदेश।

बनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता

श्री किशन लाल पुत्र देवी राम उपरोक्त ने अधिनियम धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम के अन्तर्गत दरखास्त प्रस्तुत करके प्रार्थना की है कि उसके पुत्र भूपेण कुमार की जन्म तिथि 26-10-90 है, का पंचायत धार गौरा के रिकार्ड में दर्ज नहीं है। जिसे प्रार्थी अब दर्ज करवाना चाहता है।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि इस सम्बन्ध में यदि किसी व्यक्ति को उजर व एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि द्वारा दिनांक 25-8-95 को सुबह 10 बजे इस अदालत में उपस्थित हो कर प्रस्तुत करें, वरना धार गौरा पंचायत रिकार्ड में नाम दर्ज करने के आदेश जारी कर दिये जायेंगे।

आज दिनांक 20-7-95 को मेरे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

वी० के० नेगी,  
कार्यकारी दण्डाधिकारी,  
तहसील रामपुर बुणहर, जिला शिमला,  
हिमाचल प्रदेश।

In the Court of Shri V. K. Gupta, Senior Sub Judge,  
Nahan, District Sirmour, Himachal Pradesh

Usha Rani daughter of Late Shri Mangat Ram, House  
No. 2714/10, Mohalla Ranial, Nahan, H.P. Petitioner.

Versus

General Public

Respondent.

Petition under section 372 of the Indian Succession Act.

Whereas in the above noted petition, petitioner have prayed for the grant of Succession Certificate in respect of deposit of a sum of Rs. 40,000/- vide A/c No. MIS 160039 in Post Office Nahan deceased Shri Manpat Ram and Smt. Lakshmi Devi, House No. 2714/10, Mohalla Ranial, Nahan, who died on 3-5-94 and 14-4-92.

Hence this proclamation is hereby issued for the information of the general public and to file objection if any to the grant of such Succession Certificate in this court on 28-8-95 at 10 A.M., personally or through an authorised agent/pleader, failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and the seal of the court this  
1st day of July, 1995.

Seal.

V. K. GUPTA  
Senior Sub Judge, Nahan,  
District Sirmour, Himachal Pradesh.

अदालती इस्तहार

व अदालत श्री फगू राम अमल, कार्यकारी दण्डाधिकारी,  
पाँवटा मिरमोर

श्री गोविंद नर्मा पुत्र प्यारे लाल, निवासी बाटामणरी, तहसील पाँवटा माहिव, जिला मिरमोर, (हि० प्र०)।

बनाम

आम जनता

उपरोक्त प्रार्थना पत्र श्री गोविंद नर्मा पुत्र प्यारे लाल, निवासी बाटामणरी, तहसील पाँवटा माहिव, जिला मिरमोर, हिमाचल प्रदेश ने अधिनियम धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत प्रस्तुत करके प्रार्थना की है कि उसके पुत्र राहुल कुमार जिसकी जन्म तिथि 3-8-1993 है, का नाम ग्राम पंचायत बाटामणरी के रिकार्ड में दर्ज नहीं करवाया गया है। जिसे प्रार्थी अब दर्ज करवाना चाहता है।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि इस सम्बन्ध में यदि किसी व्यक्ति को उजर व एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि द्वारा दिनांक 15-9-1995 को सुबह 10 बजे इस अदालत में उपस्थित हो कर प्रस्तुत करें वरना राहुल कुमार का नाम एवं जन्म तिथि को दर्ज करने के आदेश जारी कर दिये जायेंगे।

आज दिनांक 27-7-95 को मेरे हस्ताक्षर व मोहर अदालत में जारी कर दिया गया।

मोहर।

फगू राम अमल,  
कार्यकारी दण्डाधिकारी,  
पाँवटा माहिव, जिला मिरमोर,  
हिमाचल प्रदेश।

व अदालत कार्यकारी दण्डाधिकारी, शिलाई, जिला मिरमोर,  
हिमाचल प्रदेश

व मुद्दा:

श्री कालिया पुत्र व सैना देवी पुत्री लाल, निवासी गण ग्राम लाल, तहसील शिलाई, जिला मिरमोर, हिमाचल प्रदेश।

बनाम

आम जनता

मुख्यारनामा आम रद्द करवाने बारे

उपरोक्त प्रार्थीगण ने अपने ब्याज हस्की इस अदालत में इस आशय के साथ प्रस्तुत किये हैं कि वे भोजा मानव, तहसील शिलाई



मे मालिक अराजी हैं तथा प्रार्थीगण ने अपने सालम हिस्से का मुखत्यार ग्राम अपने छोटे भाई श्री जालम सिंह पुत्र नानू साहिब पाब, तहसील जिलाई को मिति 23-9-1993 को नियुक्त करके मुखत्यार ग्राम उप-पंजीसाल जिलाई के कार्यालय में पंजीकृत करवाया था। प्रार्थीगण व्यानी है कि अब उन्हें श्री जालम सिंह पर विश्वास नहीं रहा, क्योंकि वह प्रार्थीगण के हिस्से की अराजी खुद-बुद कर रहा है। और वे अपना उक्त मुखत्यार ग्राम रद्द करवाना चाहते हैं।

अतः इस इशतहार द्वारा समस्त रिश्तेदारों तथा ग्राम जनता को सूचित किया जाता है कि उक्त मुखत्यार ग्राम को रद्द कर दिया गया है। जो श्री शम्भू श्री जालम सिंह पुत्र श्री नानू, ग्राम पाब, तहसील जिलाई से वैधियत मुखत्यार ग्राम ग्राम की खरीद-फरोख्त/रेहन रखने सम्बन्धी लेन-देन के लिए वह खुद जिम्मेवार होगा।

साज दिनांक 14-7-95 को हमारे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर

शिर चन्द भरारिया,  
कार्यकारी दण्डाधिकारी,  
जिलाई।

In the Court of Rajeev Bhardwaj, Sub-Judge 1st Class,  
Nalagarh (H.P.)

C. Suit No. 275/1 of 94

Smt. Kalawati adopted daughter of Smt. Garibowd/o Shri Babu Ram, wife of Shri Dev Raj son of Shri Gita Ram, resident of village Makhnu Majra, Pargana Dharampur, Tehsil Nalagarh, District Solan (H.P.)

.. Plaintiff.

versus

1. General Public

2. Smt. Garibowd/o Shri Babu Ram son of Shri Puran, resident of village Makhnu Majra, Pargana Dharampur, Tehsil Nalagarh, District Solan, (H.P.)

.. Defendant.

NOTICE UNDER ORDER 5, RULE 20, C.P.C.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above named defendant No. 2 namely Smt. Garibowd/o Shri Babu Ram, resident of village Makhnu Majra, Pargana Dharampur, Tehsil Nalagarh, District Solan, H.P. can not be served in the normal course of service as the summons issued to her received back as unserved.

Hence, this proclamation under order 5, rule 20, C.P.C. is hereby issued her to appear in this Court on or before 28-8-95 at 10 A.M. personally or through an authorised agent/counsel to defend the case, failing which ex parte proceeding will be initiated against her.

Given under my hand and seal of the court this 17th day of July, 1995.

Seal.

RAJEEV BHARDWAJ,  
Sub-Judge 1st Class, Nalagarh,  
District Solan (H.P.).

न्यायालय सहायक समाहर्ता, प्रथम वर्ग, अर्की, जिला सोलन  
(दि० २०)

1. बदरी दत्त पुत्र सुख राम, ग्राम छडेरा, परगना मत्वांज, 2. देवी लाल पुत्र भागीरथ, ग्राम छडेरा, परगना मत्वांज ... मायन

बनाम

1. श्रीमती कृष्णी, विधवा बन्ती राम, 2. कलान चन्द, 3. मदन लाल पुत्रगण देवी चन्द 4. जय देई, 5. गायत्री पुत्रियां देवी चन्द, 6. गोदावरी विधवा देवी चन्द, 7. हरी चन्द, 8. श्रीराम पुत्रगण

दश राम, 9. विद्यावती, 10. तारावती पुत्रियां दश राम, 11. लीलावती विधवा दश राम, 12. हेत राम, 13. जगदीश पुत्रगण गुगाऊं, 14. प्रेम चन्द पुत्र गुसाऊं, 15. श्रीराम, 16. रामस्वरूप पुत्र लछमी चन्द, 17. कृष्ण चन्द, 18. अमी चन्द पुत्रगण राम दास, 19. दीनानाथ, 20. रामचंद पुत्रगण बमस्त राम, 21. चैतराम, 22. दश राम पुत्रगण सीता राम, 23. विधि चन्द, 24. परमा नन्द पुत्रगण मनशा राम, 25. गोदावरी पुत्री मनशा राम, 26. देवी रूप, 27. संत राम पुत्रगण हरीमण, 28. निशा पुत्री, 29. श्रीमती कृष्णी विधवा शादी राम, 30. श्याम लाल पुत्र भागीरथ, 31. बन्ती, 32. सावित्री पुत्रियां सुख राम, 33. बालक राम पुत्र सुख राम, फरीकदोम।

प्रार्थना पत्र तकसीम मुश्तरका खाता अराजी खाता ख० न० 9/13, 9/14, ख० न० 144-144, किता 2, तादादी 1-11 बीघा, वाक्या मौजा कोटला नमोला।

इशतहार

मुकद्दमा उनवान वाला में प्रतिवादीगण श्रीमती कृष्णी विधवा धनी राम/कलान चन्द, मदन लाल पुत्रगण जय देई, गायत्री पुत्रियां तथा गोदावरी विधवा देवी चन्द, हरी चन्द, सीरी राम पुत्रगण व विद्या, तारादेवी पुत्रियां व लीलावती विधवा दश राम, हेत राम, जगदीश, प्रेम चन्द पुत्रगण गुसाऊं। श्री राम, राम स्वरूप पुत्र लछमी चन्द। कृष्ण चन्द, अमी चन्द पुत्र परम राम, दीनानाथ पुत्र बमस्त राम। चैत राम के बारमान:-शंकर लाल, परमा नन्द। संत राम के बारमान:-मनोहर लाल, पदम देव, जगदीश चन्द, प्यारे लाल पुत्रगण व श्रीमती रामकृष्ण विधवा संत राम। परमा नन्द पुत्र मनशा राम, बालक राम के बारमान:- जगत राम, सुरत राम, लेख राम, जगन्नाथ, साविग राम, रतन लाल पुत्रगण व श्रीमती वनमरू पुत्री बालक राम पर समनों की सही तामील नहीं हो पा रही है। अतः इस इशतहार द्वारा उपरोक्त सभी प्रतिवादीगण को सूचित किया जाता है कि वह दिनांक 2-9-95 को अदालत न्याया कलिनन हाजर आकर पैरवी मुकद्दमा करें अन्यथा आप सभी के विरुद्ध एक्तरफा गैरब्याही अमन में जाई जायेगी तथा कोई उजर व एतराज काबले समाप्त न होंगे।

साज दिनांक 22-7-95 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित:-

सहायक समाहर्ता प्रथम वर्ग,  
अर्की।

न्यायालय सहायक समाहर्ता प्रथम वर्ग, अर्की, जिला सोलन

1. बदरी दत्त पुत्र सुख राम, ग्राम छडेरा, परगना मत्वांज, 2. देवी लाल पुत्र भागीरथ, ग्राम छडेरा, परगना मत्वांज ... मायन

बनाम

1. राम चन्द, 2. चैत राम, 3. दशराम पुत्रगण बमस्त राम, 4. विधि चन्द, 5. परमा नन्द, पुत्र व, 6. गोदावरी पुत्री मनशा 7. देवी राम, 8. संत राम पुत्रगण हरी राम, 9. श्रीमती निशा पुत्री व, 10. श्रीमती कृष्णी विधवा शादी राम, 11. श्याम लाल पुत्र भागीरथ, 12. बालक राम पुत्र गल्लू, 13. श्रीमती बन्ती व, 14. श्रीमती पावती पुत्रियां सुख राम ... फरीकदोम।

प्रार्थना पत्र तकसीम खाता खतोनी न० 27/41, 27/42, 27/43, खमरा न० 105, 215, 235, 90 किता 4, तादादी 02 बीघा 13 बिस्वा, वाक्या मौजा स्यार, परगना परबोट, तहसील अर्की, जिला सोलन (दि० २०)।

इशतहार

उपरोक्त मुकद्दमा में मनोहर लाल, पदम देव, जगदीश चन्द, हेम चन्द, प्यारे लाल पुत्रगण व श्रीमती रामकृष्ण विधवा संत राम, बालक राम प्रतिवादी न० 12 के जायज बारमान:- जगत राम, सुरत राम, लेख राम, जगन्नाथ, साविग राम, रतन लाल पुत्रगण व श्रीमती वनमरू पुत्री प्रतिवादी न० 5, परमा नन्द पुत्र मनशा तथा प्रतिवादी न० 2 के जायज बारमान शंकर लाल व परमा नन्द पर समनों

का मही नामील नहीं डा पाई है। इस इशतहार द्वारा उपरोक्त सभी प्रतिवादीगण को सूचित किया जाता है कि वह दिनांक 2-9-95 को अशोदस्ताक्षरी के न्यायालय में सुबह 10 बजे अमानतन या वकालत उस्थित आकर पैरवी मुकद्दमा करें। अन्यथा आप सभी के विरुद्ध कार्यवाही एकतरफा अमान में लाई जावेगी कोई उजर व एतराज फावले समाप्त न होगा।

आज दिनांक 22-7-95 को हमारे हुस्ताक्षर व माहूर अदालत से जारी हुवा।

मोहर। हुस्ताक्षरित/-  
महायक समाहर्ता प्रथम वर्ग, अर्की, जिला सोलन (हि0 प्र0)।

न्यायालय महायक समाहर्ता, प्रथम वर्ग, अर्की, जिला सोलन (हि0 प्र0)

1. बदरी दत्त पुत्र सुब राम, ग्राम छडेरा, परगना मत्यांज,
2. देवी लाल पुत्र भागी रथ, ग्राम छडेरा, परगना मत्यांज मायाल

बनाम

1. राम चन्द पुत्र ब्रमन्त राम, 2. चेत राम, 3. दयाराम पुत्रगण वसन्त राम, 4. बालक राम पुत्र गलेलू, 5. विधि चन्द, 6. परमा नन्द, पुत्रगण मनसू व, 7. श्रीमती गोदावरी पुत्री मनसू, 8. देवीरू, 9. संत राम पुत्रगण हरी राम, 10. श्रीमती निशा पुत्री व, 11. श्रीमती कुष्णी विधवा शादो राम, 12. बन्तो, 13. श्रीमती माचित्री पुत्रियां सुखराम, 14. श्यामलाल पुत्र भागीरथ, 15. श्रीमती कुष्णी विश्वा धनी राम, 16. हेत राम, 17. जगदीश चन्द, 18. प्रेम चन्द पुत्रगण गुमाऊ 19. कैलाश चन्द, 20. मदन लाल पुत्रगण देवी चन्द, 21. हरी चन्द, 23. श्रीराम पुत्रगण दया राम फरीकदोथम।

प्राथना-पत्र तकसीम मुश्तरका खाना अराजी खाता खे0 नं0 28/44, खे0 नं0 44, 210, 214, 299, 45 किता, 5 ताबादो 1, 15 बोधा, वाक्का मोजा स्यार, परगना परबाद, तहसोल अर्की।

इशतहार

मुकद्दमा उनवानवाला प्रतिवादीगण श्रीमती कुष्णी पत्नी घनीराम, संत राम के वारसान मनोहर लाल, पदम देव, जगदीश चन्द, हेम चन्द, प्यारे लाल पुत्रगण व श्रीमती रामकू विधवा संतराम, बालक राम के वारसान जगत राम, सूरत राम, लेख राम, जल्लाथ मालिग राम, रतन लाल पुत्र श्रीमती मनभरू पुत्री बालक राम, परमानंद पुत्र मनसू, चैतराम के वारसान शंकरलाल, परमानंद, जगदीश, प्रेमचंद, हेतराम, पुत्रगण गुमाऊ, कैलाश चंद, मदन लाल पुत्र देवीचंद, हरीचंद, श्रीराम पुत्रगण दयाराम पर उपरोक्त मुकद्दमा में सही नामील नहीं हो पा रही है। अतः इस इशतहार द्वारा उपरोक्त सभी प्रतिवादीगण को सूचित किया जाता है कि वह दिनांक 2-9-95 को अमानतन या वकालत हाजिर आकर पैरवी मुकद्दमा करें। अन्यथा आपके खिलाफ कार्यवाही एकतरफा अमान में लाई जावेगी। कोई उजर व एतराज कावे समाप्त न होगा।

आज दिनांक 22-7-95 को हमारे हुस्ताक्षर व मोहर अदालत से जारी हुवा।

मोहर। हुस्ताक्षरित/-  
सहायक समाहर्ता, प्रथम वर्ग, अर्की।

व अदालत श्री ललित शर्मा महायक समाहर्ता द्वितीय वर्ग, सोलन जिला सोलन, हिमाचल प्रदेश

मुकद्दमा : दरख्वास्त खमरा गिरदावरी

1. रतन कुमार, 2. चन्द कान्त, 3. हेम लता, 4. रीता पुत्र/पुत्रियां स्व0 श्री वीरेन्द्र कुमार, 5. लक्ष्मी दाम उमा देवी (माता) (ताबालिग)
6. श्रीमती उमा देवी पत्नी स्व0 श्री वीरेन्द्र कुमार, 7. जगनेन्द्र कुमार पुत्र श्री काकू राम, 8. विनय कुमार व अजय कुमार पुत्र श्री सुरेन्द्र कुमार, 9. बीना कुमारी पुत्री श्री सुरेन्द्र कुमार, 10. श्रीमती माया देवी पत्नी स्व0 श्री सुरेन्द्र कुमार तमाम निवासीगण

ग्राम लोहारो, डाकघर घट्टी, तहसील व जिला सोलन, हिमाचल प्रदेश।  
..वादीगण।

बनाम

1. विश्व वन्धु पुत्र श्री काकू उर्फ धर्मवीर प्रतिवादी

दरख्वास्त बाबत दरख्ती गिरदावरी खाना खतीनी नम्बर 10/14 खमरा नं0 16 मोजा लोहारो, डाकघर घट्टी इस न्यायालय में विचारा-धीन है जिसमें प्रतिवादी उपरोक्त की हाजरी जरूरी है। उपरोक्त अभियोग में प्रतिवादी श्री विश्ववन्धु पुत्र श्री काकू राम उर्फ धर्मवीर, निवासी लोहारो लगभग 20-21 वर्षों से लापता बनाया जाता है। और इसकी तामील आसान तरीका से हानो सम्भव है। अतः उक्त विश्ववन्धु को तथा अन्य आम जनता को इस इशतहार द्वारा सूचित किया जाता है कि इस मामले में पैरवी हेतु दिनांक 25-8-95 को सुबह 10 बजे इस अदालत में हजारे समक्ष उपस्थित होकर अपना दावा प्रस्तुत करें। अन्यथा एक तरफा कार्यवाही अमान में लाई जावेगी।

आज दिनांक 28-7-95 को मेरे हुस्ताक्षर व मोहर अदालत से जारी हुवा।

मोहर।

ललित शर्मा,  
महायक समाहर्ता द्वितीय वर्ग, सोलन,  
जिला सोलन (हि0 प्र0)।

## MULTIPURPOSE PROJECTS AND POWER DEPARTMENT

### NOTIFICATION

Shimla, the 19th July, 1995

No. MPP-F(2)-10/93.-In pursuance of Section 29 of the Electricity (Supply) Act, 1948, it is hereby notified that Rajasthan Spinning & Weaving Mills Ltd., Bhilwara Bhawan, 40-41, Community Centre, New Friends Colony, Delhi-110 065, proposes to undertake the following scheme, as per the brief description given here as under :

Name of Scheme : MALANA HYDRO ELECTRIC PROJECT (86 MW) DISTRICT KULLU (H.P.).

Cost of Scheme : Rs. 38,139 lacs (May 1994 price level).

#### Brief Description:

Malana Hydro-electric Project has been contemplated as a run-of the river scheme on Malana Nallah, a tributary of river Parbati in Kullu District of Himachal Pradesh. Power House of the project will be located near Chowki Village on the right bank of Parbati river utilising a gross head of 505 metres for generation of 86 MW of power. The broad features of the project comprises of the following :-

- (a) A diversion barrage of 50 metres length between the abutments is to be constructed at EL. 1889 m's. to divert a design discharge of 26.25 cumecs (including discharge for silt/sediment flushing).
- (b) A head regulator to draw 26.25 cumecs of discharge.
- (c) A surface desilting tank having three chambers each of 102 m x 5.2 m size to exclude all silt particles down to 0.2 mm size.
- (d) A storage reservoir with RCC cellular type RCC walls having a live storage capacity of 24.90 hectare-metre and with surface area of + 2.5 hectares.
- (e) A diversion channel 400m long with bed width of 25 m.

(f) A pressurised 3m diameter concrete lined circular tunnel to carry a design discharge of 21.00 cumecs.

बनाम

ग्राम जनता

(g) An underground 5 m diameter 72m height, restricted orifice type surge shaft-Top EL. 1920m.

ईशतहार

(h) A surface penstock 580 m long, 2.2 m diameter bifurcating into two branches, 1.50 m diameter 8 m long.

(i) A surface power house 18.7m x 55.0m housing two generating units of 43 MW each.

(j) Tailrace channel 2 Nos. 5m long & 1 No. combined duct 80m long to discharge the water back into Parbati river.

(k) A 132 KV Switchyard near power house, and a triple circuit 132 KV, + 25 kms long transmission line from Malana Power House to the proposed Sarabai Sub-Station.

उपरोक्त मुकदमा में प्रार्थीण श्री टिम्बलू व मुन्गी ने अदालत हाजा को प्रार्थना पत्र गुजारा है कि उनका हकीकी भाई श्री मांगलू राम पुत्र गोकल अर्थात् 23 सालों से लापता है जिसका विरास्त का ईन्तकाल अब बहक वारमान दर्ज/तस्दीक करवाना चाहते हैं। अतः ग्राम जनता को इस इस्तहार राजपत्र द्वारा सूचित किया जाता है कि इस सम्बन्ध में किसी/ग्राम जनता को कोई उजर एतराज हो तो वह दिनांक 21-9-95 को समय 10 बजे प्रातः अदालत या वकालत हाजिर अदालत आकर अपना उजर एतराज प्रस्तुत कर सकता है। हाजिर न आने की सूत में नियमानुसार कार्यवाही अमल में लाई जावेगी।

आज दिनांक 21-7-95 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-

सहायक समाहर्ता (प्रथम श्रेणी),  
मुन्दरनगर, जिला मण्डी (हि० प्र०)।

अदालती ईशतहार

(अधिन आदेश 5, नियम 20, सं० पी० सी०)

न्यायालय श्री देवेन्द्र सिंह कंवर, सहायक समाहर्ता प्रथम श्रेणी, पांवटा साहिब, जिला सिरमौर, हि० प्र०

मिसल नं० 30/95

2. For placing of any wires, poles, wall brackets, stays apparatus and appliances for the transmission and distribution of electricity, or for the transmission of telegraphic or telephonic communications necessary for the proper co-ordination of the works of the company, the company shall have in accordance with section 42 of the Electricity (Supply) Act, 1948, all the powers which the telegraphic authority possesses under Part-III of the Indian Telegraphic Act, 1885 (13 of 1885) with regard to a telegraph established or maintained by the Government or to be so established or maintained, notwithstanding anything contained in Section 12 to 16, 18 and 19 of the Indian Electricity Act, 1910 (9 of 1910), but without prejudice to the requirement of Section 17 of that Act.

3. Notice is hereby given that any licensee or other person interested may raise any objection and/or make any representation on the above scheme within two months of publication of this notice whereafter no objection and/or representation will be entertained and the scheme shall be commissioned, with or without notification, as approved by the Government.

4. Necessary plans showing the Project site etc., may be inspected on any working day in the office of General Manager, Malana Hydro-Project, Rajasthan Spg. & Wvg. Mills Ltd., Bhuntar, Distt. Kullu/Director, Investigation & Designs, H.P.S.E.B., Sundernagar. Objections and representations in respect of this scheme, if any, may be sent to the address given below.

Sr. Mgr. (Hydel)  
Malana HE Project  
Rajasthan Spg. & Wvg. Mills Ltd.  
40-41, Community Centre,  
New Friends Colony,  
New Delhi-110 065.

Sd/-

Joint Secretary (Power).

व अदालत सहायक समाहर्ता (प्रथम श्रेणी) मुन्दर नगर, जिला मण्डी (हि० प्र०)

मि० नं० 27/95

दावा वास्तव में जाने दर्ज व तस्दीक ईन्तकाल विरास्त श्री मांगलू राम बहक वारमान।

व मुकदमा :

श्री टिम्बलू व मुन्गी पुत्रगण गोकल, निवासी मसोग, तहसील मुन्दरनगर, जिला मण्डी (हि० प्र०)

.. प्रार्थी।

1. श्री अरूण पुत्र श्री कुन्दन लाल, 2. श्रीमती चांद रानी बेवा कुन्दन लाल, 3. श्रीमती सुनिता पत्नी अरूण, निवासीगण कसौली, हाल निवासी पांवटा साहिब .. प्रार्थीगण।

1. श्री लक्ष्मी चन्द पुत्र मुन्गी, 2. श्री इन्दर पुत्र गंगा राम, 3. श्रीमती मुरजीत कौर बेवा श्री प्रेम सिंह, 4. सर्वश्री चरण सिंह, 5. जगीर सिंह, 6. जीत उर्फ मुरजीत सिंह, 7. गीता उर्फ सतवीर सिंह, पुत्रगण नारायणा, 8. जगमोहन सिंह, 9. सरवन सिंह, 10. बलदेव सिंह, पुत्रगण श्री प्रेम सिंह, 11. सर्वश्री बलवन्त सिंह, 12. परमजीत सिंह, 13. अमरजीत सिंह, 14. जसपाल सिंह पुत्रगण चरण सिंह, 15. रतना पुत्र धामा, 16. सर्वश्री गुरमीत सिंह, 17. जसवीर सिंह पुत्र करम चन्द, 18. श्रीमती रतन कौर बेवा करम चन्द, 19. सर्वश्री शमशेर सिंह, 20. जसमेर सिंह, 21. देवेन्द्र सिंह, 22. सरवन सिंह, पुत्रगण भागा राम, 23. बलदेव सिंह पुत्र हमीरा, 24. रिखा राम पुत्र दामा, 25. श्री दामा पुत्र लखिया, 26. श्रीमती चन्दन कौर, 27. श्रीमती प्रकाश कौर, 28. श्रीमती जगीर कौर, 29. शैली देवी पुत्रिया श्री नारायणा, 30. श्रीमती अमरजीत कौर, 31. बलविन्दर कौर, 32. परमजीत कौर पुत्रिया प्रेम सिंह निवासीगण ताहवाला, 33. जयमेल सिंह, 34. बहादुर सिंह, 35. प्रेम सिंह, 36. महेन्द्र सिंह, 37. स्वर्ण सिंह, 38. चरणवीर सिंह पुत्र श्री अमर सिंह निवासीगण बेहडवाला, 39. कुशल सिंह पुत्र श्री ईशर सिंह निवासी गोन्दपुर, 40. गैली राम पुत्र सन्त राम, निवासी बांकेय्या .. प्रतिवादीगण।

प्रार्थना पत्र तकसीम भूमि खाता खतौनी नं० 110/234 से 246 किते 12 तादादी 196-97 बीघा स्थित मौजा शुभ खेड़ा तहसील पांवटा साहिब।

उपरोक्त मुकदमा में प्रतिवादीगण नं० 1, 2, 3, 6, 11, 12, 14, 15, 16, 17, 18, 22, 26, 27, 28, 29, 30, 31, 34, 35,

36, 37, 38 को कई बार समन जारी किए गए। परन्तु उन पर समन की तामील न हो पा रही है जिससे न्यायालय को यकीन हो गया है कि उपरोक्त प्रतिवादीगण पर साधारण तरीके से समन की तामील सम्भव नहीं है। अतः प्रतिवादीगण 1, 2, 3, 6, 11, 12, 14, 15, 16, 17, 18, 22, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38 को इस ईश्वर द्वारा सूचित किया जाता है कि वे मिति 22-9-95 को प्रातः स्वयं या अपने प्रतिनिधि के माध्यम से मुकाम पावटा साहिब उपस्थित होकर पैरवी मुकद्दमा करें। वसूरत

दिनर एकपक्षीय कार्यवाही अथवा में लाई जायेगी।

आज दिनांक 22 जुलाई, 1995 को हमारे हस्ताक्षर तथा मांहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-  
सहायक समाहर्ता प्रथम श्रेणी,  
पावटा साहिब।

#### भाग 6--भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

-सम्य-

भाग 7--भारतीय निर्वाचन आयोग (Election Commission, of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

-सम्य-

अनुपूरक

(देखिए पृष्ठ 900 से 903 तक)

## DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Bilaspur:																				
Sadar				N	O	T			A	V	A	I	L	A	B	L	E			
Ghumarwin				N	O	T			A	V	A	I	L	A	B	L	E			
Raghunathpur & Bilaspur Obs.																				
Chamba:																				
Chamba																				
Sahu																				
Chhatran				N	O	T			A	V	A	I	L	A	B	L	E			
Bhanota				N	O	T			A	V	A	I	L	A	B	L	E			
Chawan				N	O	T			A	V	A	I	L	A	B	L	E			
Bathri				N	O	T			A	V	A	I	L	A	B	L	E			
Kalatep				N	O	T			A	V	A	I	L	A	B	L	E			
pharmaur				N	O	T			A	V	A	I	L	A	B	L	E			
Pisa				N	O	T			A	V	A	I	L	A	B	L	E			
Bhandal				N	O	T			A	V	A	I	L	A	B	L	E			
Kallar				N	O	T			A	V	A	I	L	A	B	L	E			
Hamirpur:																				
Hamirpur				N	O	T			A	V	A	I	L	A	B	L	E			
Bhawanj				N	O	T			A	V	A	I	L	A	B	L	E			
Nodun				N	O	T			A	V	A	I	L	A	B	L	E			
badar				N	O	T			A	V	A	I	L	A	B	L	E			
Kangra:																				
Dehra																				
Kangra																				
Narpat																				
Dharamshala																				
Palampur																				
Koti:																				
Koti				N	O	T			A	V	A	I	L	A	B	L	E			
Na. Jar				N	O	T			A	V	A	I	L	A	B	L	E			
Karnaul:																				
Nihar																				
Kuta																				
Sangli																				
Kalpa				N	O	T			A	V	A	I	L	A	B	L	E			
Purhan				N	O	T			A	V	A	I	L	A	B	L	E			
Lehna & Siro:																				
Kotkha				N	O	T			A	V	A	I	L	A	B	L	E			
Kaza				N	O	T			A	V	A	I	L	A	B	L	E			
Shimla:																				
Karn pur																				
Robra																				
Jubbud																				
Chopal																				
Chooq																				
Kusarsara																				
Junga				N	O	T			A	V	A	I	L	A	B	L	E			
Kasumpti				N	O	T			A	V	A	I	L	A	B	L	E			
tem				N	O	T			A	V	A	I	L	A	B	L	E			
Kotchara				N	O	T			A	V	A	I	L	A	B	L	E			
Kandana				N	O	T			A	V	A	I	L	A	B	L	E			
Kashile				N	O	T			A	V	A	I	L	A	B	L	E			
Shimlaoo				N	O	T			A	V	A	I	L	A	B	L	E			
Parala				N	O	T			A	V	A	I	L	A	B	L	E			
Korgarb				N	O	T			A	V	A	I	L	A	B	L	E			
Phuncha				N	O	T			A	V	A	I	L	A	B	L	E			
Dodrakwar				N	O	T			A	V	A	I	L	A	B	L	E			
Mashobra				N	O	T			A	V	A	I	L	A	B	L	E			

## (Rainfall) in Millimeters.

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Total rainfall for the month 1-12-92 to 31-12-92	Normal rainfall for the month	Number of rainy days	Normal Number of rainy days	Heaviest rainfall during the month	Total rainfall for the month
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	31.4	N.A.	2.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	37.7	N.A.	2.3	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	35.2	N.A.	2.6	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	104.3	N.A.	7.0	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	34.8	N.A.	2.3	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	83.7	N.A.	3.6	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	52.9	N.A.	3.8	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	63.1	N.A.	3.5	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	60.3	N.A.	2.8	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	70.0	N.A.	3.5	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	78.7	N.A.	3.8	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	47.7	N.A.	3.2	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	73.4	N.A.	3.6	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	110.2	N.A.	3.6	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	40.4	N.A.	3.0	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	6.7	N.A.	0.5	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	32.8	N.A.	2.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	4.0	N.A.	1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	4.0	N.A.	1.0	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	1.3	N.A.	0.3	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	32.7	N.A.	2.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	37.0	N.A.	2.5	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	59.2	N.A.	2.9	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	54.5	N.A.	3.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	44.3	N.A.	2.4	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	353.6	N.A.	12.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	50.5	N.A.	2.7	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	17.2	N.A.	1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	82.7	N.A.	5.8	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	41.3	N.A.	2.9	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	51.3	N.A.	2.7	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	46.3	N.A.	2.8	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	79.7	N.A.	2.9	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	45.0	N.A.	3.2	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	62.3	N.A.	2.6	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	285.0	N.A.	14.2	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	57.0	N.A.	2.9	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	29.1	N.A.	3.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	255.2	N.A.	17.5	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	63.8	N.A.	4.4	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	24.3	N.A.	1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	28.2	N.A.	1.7	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	38.1	N.A.	2.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	48.1	N.A.	3.0	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	32.6	N.A.	1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	17.3	N.A.	1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	30.9	N.A.	1.4	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	27.2	N.A.	2.1	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	31.3	N.A.	2.3	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	839.6	N.A.	40	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	46.6	N.A.	0.4	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	36.2	N.A.	4.0	N.A.	N.A.
N	O	T	A	V	A	I	L	A	B	B	B	N.A.	2.9	N.A.	2.1	N.A.	N.A.



Districts and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th
Mandi :																			
Sadar	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jogindernagar	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sarkaghat	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C hachlot	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sundernagar	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Karsog	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Dangrotu	N	O	T	-	-	-	A	A	A	I	L	A	B	L	E	-	-	-	-
Jhungl	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Kanula	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Panjain	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Janjehli	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Mandi Obs.	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Sandhel	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Solan :																			
Kandaghat	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Kasauli	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nalagarh	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arki	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Solan	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sirmaur :																			
Nahan	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Paonta	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Renuka	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pachhad	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
B gthan	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Dhaula Kuan	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Dadaha	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Dadapur	N	O	T	-	-	-	A	V	A	I	L	A	B	L	E	-	-	-	-
Una :																			
Una	N	O	T	-	-	-	A	V	A	I	L	1,0 A	B	L	E	-	-	-	-
Bangana	N	O	T	-	-	-	A	V	A	I	L	1,0 A	B	L	E	-	-	-	-

PRADESH FOR THE MONTH OF DECEMBER, 1992

(Rainfall in Millimeters)

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Total rainfall for the month 1-12-92 to 31-12-92	Normal rainfall for the month	Total rainy days for the month	Normal rainy days for the month	Heaviest rainfall during the month	Total rainfall
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	29.2	N.A.	2.4	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	46.6	N.A.	2.5	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	35.2	N.A.	2.2	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	49.8	N.A.	2.4	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	29.1	N.A.	2.2	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	33.0	N.A.	2.1	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	32.2	N.A.	1.9	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	35.9	N.A.	2.5	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	30.8	N.A.	2.2	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	40.4	N.A.	2.3	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	44.5	N.A.	1.7	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	28.2	N.A.	2.5	N.A.	N.A.
N	Z	N	Z	N	Z	N	Z	N	Z	N	Z	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
District Total												—	384.9	—	24.5	—	—
District Average												—	35.0	—	2.2	—	—
—												—	25.0	—	1.9	—	—
—												—	33.1	—	1.8	—	—
—												—	20.4	—	1.3	—	—
—												—	28.3	—	1.6	—	—
—												—	30.5	—	1.8	—	—
District Total												—	137.3	—	8.4	—	—
District Average												—	27.5	—	1.7	—	—
—												—	34.7	—	1.5	—	—
—												—	36.3	—	1.3	—	—
—												—	33.2	—	1.2	—	—
—												—	29.1	—	1.7	—	—
—												N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
—												N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
—												N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
District Total												—	159.8	—	7.0	—	—
District Average												—	32.0	—	1.4	—	—
—												1.0	25.2	—	1.8	1.0	1.0
—												N.A.	N.A.	—	N.A.	N.A.	N.A.
District Total												1.0	25.2	—	1.8	1.0	1.0
District Average												1.0	25.2	—	1.8	1.0	1.0

A. N. SHARMA, I.A.S.,  
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